



**USAID ENVIRONMENTAL PROCEDURES
TRAINING MANUAL**
for
**USAID Environmental Officers and
USAID Mission Partners**

**ANE Edition:
March 2002**



PURPOSE AND DISCLAIMER—PLEASE NOTE

This USAID Environmental Procedures Training Manual (EPTM) is intended to serve as an informative, practical guide to help USAID Mission staff and USAID partners complete environmental documentation required under USAID's environmental regulations and procedures contained in Title 22 of the Code of Federal Regulations (22 CFR part 216).

However, **the guidance contained in this manual is advisory only**. The contents of this EPTM does not constitute official USAID procedures, regulations, guidelines, guidance, or revisions thereto, nor do they modify or replace any aspect of 22 CFR 216. Should there be any apparent conflict between 22 CFR 216 and the EPTM, 22 CFR 216 will take precedence. (For reference, the full text of 22 CFR 216 is included in this manual.)

The tables, matrices and forms suggested herein are intended to be helpful to preparers and reviewers, but they are not specified by Reg. 216. Each Mission or Mission partner may decide whether they are useful in documenting 22 CFR 216 requirements.

Comments on this document are encouraged. Please send them to the USAID Environmental Coordinator (James Hester), or to the Bureau Environmental Officer for your region or program.

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March 2002**

**Funding by ANE with additional support from
AFR/SD and REDSO/ESA**

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Acknowledgements and history

This *Environmental Procedures Training Manual* (EPTM) draws extensively on an earlier publication, the *Environmental Documentation Manual for Title II Cooperating Sponsors* (EDM). The EDM was developed with leadership from USAID's Africa Bureau and the Environmental Working Group of Food Aid Management (FAM), in collaboration with the Office of Food for Peace (BHR/FFP). The goal of the EDM was to make easier the tasks of understanding and complying with USAID environmental regulations for USAID Missions and Partners engaged in Title II activities.

The draft EDM was issued in November 1997, and revised after use in a regional training course in December 1997. The EDM was field tested in Environmental Assessment training courses for USAID P.L.480 Title II Cooperating Sponsors implementing food-aided development programs. These courses were held in Ethiopia, Ghana, Cape Verde, Kenya, Mozambique, Honduras, Bolivia and Mali. The EDM was published in final form in February 1999.

Charlotte Bingham was the primary author of the original Environmental Documentation Manual. At the time she was the Regional Environmental Officer (REO) for USAID's Regional Economic Development Services Office for East and Southern Africa (REDSO/ESA) based in Nairobi, Kenya. With co-author Walter Knausenberger, she was a lead organizer and trainer in the Africa Bureau's Environmental Capacity Building (ENCAP) initiative. A central part of ENCAP's program is building capacity within USAID partner organizations in environmentally sound design and Regulation 216 compliance.

Dr. Knausenberger also had much to do with the creation of the Environmental Capacity Building Program for Africa (ENCAP), the production of the Africa *Bureau's Environmental Guidelines for Small Scale Activities in Africa*, and the initiative that led to the development of the EDM.

Mr. Wes Fisher, a natural resources specialist and trainer from Tellus Institute, was the third original co-author. His work was funded under ENCAP via the EPIQ Indefinite Quantity Contract.

Based on the experience with the EDM, a decision was made to create this more general handbook for use by a broader audience of both USAID Missions and their partner organizations working in the field. Tellus was tasked to modify the EDM with primary funding from the Bureau for Asia and the Near East, and additional support from the Africa and Europe and Eurasia bureaus. In addition to field training experiences using the EDM, this revision drew on FAM and BHR/FFP review of the quality of DAP/PAA environmental documentation submissions in 1998, as well as on comments solicited from Title II CSs' on their experience in using the EDM and preparing their environmental documentation.

For their encouragement and guidance, we are indebted to the Agency Environmental Coordinator, James Hester, and Bureau Environmental Officers Paul des Rosiers (BHR and Global), John Wilson (Asia/Near East), Carl Gallegos (Africa), Jeffrey Goodson (Europe and Eurasia), Carl Maxwell (Europe and Eurasia) and Mohammed Latif (Europe and Eurasia).

Acronyms and Abbreviations

AFR	Bureau for Africa (USAID)	FFW	Food-for-Work
ANE	Bureau for Asia and the Near East (USAID)	FY	Fiscal Year
BEO	Bureau Environmental Officer	GIS	Geographic Information System
BHR/FFP	Bureau for Humanitarian Response, Office of Food for Peace (USAID)	ha	hectares
BDCHA	Bureau for Democracy, Conflict and Humanitarian Assistance (replaced the Bureau of Humanitarian Response in Jan 2002.)	IEE	Initial Environmental Examination
CE	Categorical Exclusion	IPM	Integrated Pest Management
CFR	Code of Federal Regulations	IR	Intermediate Result
CFW	Cash for Work	IUCN	International Union for the Conservation of Nature
CITES	Convention on the International Trade in Endangered Species	LAC	USAID Bureau for Latin America and the Caribbean
CSs	Cooperating Sponsors (PVOs & NGOs) programming food aid	LOP	Life-of-Project funding
DAP	Development Activity Proposal	M&E	Monitoring and Evaluation
EA	Environmental Assessment	MEO	Mission Environmental Officer (USAID)
E&E	USAID Europe and Eurasia Bureau	MOA	Ministry of Agriculture
EDG	Environmental Decision Guide	ND	Negative Determination
EDM	Environmental Documentation Manual	NEAP	National Environmental Action Plan
EIA	Environmental Impact Assessment	NGO	Non-Governmental Organization
EIS	Environmental Impact Statement	NRM	Natural Resources Management
EPIQ	Environmental Policy and Institutional Strengthening Indefinite Quantity Contract (USAID-funded Consortium initiated Oct. 1996)	OFDA	Office of Foreign Disaster Assistance (USAID/BDCHA)
ESA	Eastern and Southern Africa	PAA	Previously Approved Activity (USAID Title II)
ESR	Environmental Status Report	PEA	Programmatic Environmental Assessment
EWG	Environmental Working Group	P.L. 480	Public Law 480—Agricultural Trade Development and Assistance Act of 1954 providing for assistance in the form of food commodities
FAA	Foreign Assistance Act	PRC	Project Review Committee
FAM	Food Aid Management (association of PVOs using food aid in international development and relief programs, funded by USAID/BHR/FFP)	PVO	Private Voluntary Organization (in USAID usage, applies mainly to USAID funded non-governmental organizations)
FAO	Food and Agriculture Organization	REDSO	Regional Economic Development Support Office (USAID)
FFP	Office of Food for Peace, USAID/BDCHA	Reg. 216	Informal short form of USAID's Environmental Procedures, 22 CFR Part 216. Also Regulation 216 or sometimes colloquially referred to as "Reg. 16"

REO	Regional Environmental Officer (USAID)
SO	Strategic Objective
SOW	Scope of Work
TA	Technical Assistance
(Title II)TII	One of the main provisions of P.L 480 applying to food aid programmed by PVOs
U.N.	United Nations
UNCED	United Nations Conference on Environment and Development
UNHCR	United Nations High Commission for Refugees
U.S.	United States
USAID	U.S. Agency for International Development
USEPA	U.S. Environmental Protection Agency
WFP	World Food Program(me)

Chapter 1. Introduction

1.1. Background and purpose

USAID's Environmental Procedures¹ (known as Regulation 216 or Reg. 216) were formulated to:

- ensure that environmental consequences of USAID-funded activities are identified and considered in the design and implementation of activities prior to final decisions to proceed;
- assist countries in strengthening their environmental evaluation capabilities;
- define limiting environmental factors that constrain development; and
- identify activities that can assist in sustaining or restoring the natural resource base.

The procedures apply to **all** new projects, programs, or activities authorized or approved by USAID. They also apply to substantive amendments or extensions of ongoing projects, programs, or activities. Thus under Regulation 216, nearly all projects and programs require some form of environmental documentation. The documentation is an integral part of the program or project proposal; **no “irreversible commitment of resources” can take place until the environmental documentation is approved by USAID.**

Implementing organizations typically have primary responsibility for developing the documentation. These organizations know their activities and local environment better than anyone else and are best suited to develop the documentation, and to determine appropriate mitigation and monitoring measures.

This Environmental Procedures Training Manual (EPTM) has been developed specifically to assist USAID Missions and their partners in designing environmentally sound development activities and in bringing their activities into compliance with USAID Environmental Procedures. The manual may also be useful for NGOs and PVOs carrying out development activities with other sources of support.

Under Reg. 216:

- *Nearly all proposed activities require environmental documentation*
 - *No irreversible commitment of resources can occur until this documentation is approved*
 - *The implementing organization typically has primary responsibility for developing this documentation, in consultation with USAID*
-

¹ The procedures, published in final form in the fall of 1980, are codified in 22 CFR 216 (Title 22, Code of Federal Regulations, Part 216). Annex B reproduces the text of the regulation in full.

1.2. Use and contents

Regulation 216 is a particular implementation of the general environmental impact assessment (EIA) process, and conforms to norms of good EIA practice. After this introductory chapter, the structure of this manual mirrors this general process.

Specifically, EIA processes begin with an initial SCREENING on proposed activities or projects. The intent of screening is to identify activities which:

- by their nature pose inherently low risks of environmental harm
- by their nature pose moderate or high risks of environmental harm.

The screening result determines the nature of environmental analysis and documentation required. Low-risk activities require minimal documentation. Moderate and higher-risk activities are subject to more extensive environmental study and documentation requirements.

Chapter 2 is a step-by-step guide to screening under Regulation 216. Regulation 216 defines types of activities “normally having a significant [adverse] effect on the environment,” as well as those for which environmental impacts are not expected to be significantly adverse. Regulation 216 establishes particular terminology for these screening outcomes and classes of activities. Chapter 2 introduces this terminology.

Chapter 2 also overviews the further analysis required by Regulation 216 for activities outside the low-impact group.

Once screening is completed, the reader turns to **Chapter 3**. Chapter 3 matches screening results to the type of environmental documentation required for the project. Each of the four types of basic documentation is described.

Chapter 4 is a detailed guide to writing the Initial Environmental Examination (IEE). The IEE is used to analyze all activities *except* those specifically enumerated in Regulation 216 as posing little risk of significant, adverse effects on the environment.²

Chapter 5 assembles frequently asked questions that have arisen about USAID and USAID partner environmental compliance, especially those posed originally by members of the Environmental Working Group of Food Aid Management (FAM).

Topics include: (a) the rationale for environmental compliance; (b) responsibilities and timelines; (c) Environmental compliance documentation; (d) environmental analysis; and (e) designing and managing more environmentally sound activities. Beyond the answers provided here, you should feel free to contact your USAID Mission or Bureau Environmental Officer (BEO).

The Annexes include a detailed discussion of activity classification under Reg. 216, forms and sample USAID compliance documents, official

EPTM contents	
Chapt. 1	Introduction and overview
Chapt. 2	Step-by-step guide to screening under Reg 216
Chapt. 3	Matching screening outcomes to environmental documentation requirements
Chapt. 4	A guide to writing the IEE
Chapt. 5	Frequently asked questions
Annexes	A: Reg. 216 definitions B: Official USAID Guidance C: Blank environmental documentation forms D: Sample environmental documentation E: Sample tables and matrices F: Programmatic Environmental Assessments (PEAs) G: Umbrella IEEs and subgrant environmental screening

² As the name implies the IEE is an *initial* study. Regulation 216 mandates that a full Environmental Assessment study to be completed when the IEE indicates that a project may result in significant adverse effects on the environmental.

guidance (including the full text of Reg. 216), and other useful information on the compliance process.

NOTE: The manual is written as a reference document, and information is occasionally repeated so that descriptions of a particular topic are self-contained.

We hope that the step-by-step process outlined in this package will make adopting USAID environmental procedures easier. Experience has shown that complying with procedures strengthens development activities and makes them more sustainable. This manual may appear daunting, but it is intended to make environmental compliance less burdensome.

1.3. Rationale for the procedures and compliance

Almost all development activities affect the environment in some way (see Table 1.1.) The intent of USAID's environmental procedures is NOT to prevent all such impacts. This would be equivalent to prohibiting all development. And such a position ignores the reality that the environmental impacts of "business as usual" may be far worse than those which would occur under a well-planned activity, project or program.

Instead, the procedures are intended to assure that environmental issues receive adequate consideration in design and implementation. This is necessary so that (1) knowledgeable tradeoffs can be made between economic, social and environmental outcomes; and (2) project failure arising from environmental causes can be avoided.

Ultimately, the procedures are intended to prevent *development failures* rooted in environmental causes. Failure occurs in a number of ways. It may occur when improper disposal of waste from a new health post contaminates a community water supply, or when poorly designed or maintained drainage structures of a new rural access road destroy downslope cropland. Or it may occur in more subtle ways, when the effects of a program gradually degrade ecosystem resources and services essential to agricultural productivity and future development.

For this reason, compliance with Reg. 216 should be viewed as much more than a paper exercise. It should be viewed as a formal framework for engaging in *environmentally sound design* of development activities. This cannot happen when environmental documentation is completed after activity, project or program design is complete. Environmental analysis should be integrated into the lifecycle of each proposed intervention.

For details regarding environmentally sound design principles and their relation to Regulation 216 and the project lifecycle, see "An Introduction to Environmentally Sound Design" in *Environmental Guidelines for Small-Scale Activities in Africa*. (USAID, 2000; available for download at www.encapafrika.org)

The purpose of regulation 216. . .

- *is NOT to prevent all environmental impacts associated with development activities*
 - *IS to assure that environmental issues receive adequate consideration in activity design and implementation.*
 - *IS to avoid environmental project failure and improve sustainability of activities.*
-

Table 1.1: Typical USAID Supported Activities and Their Potential Adverse Environmental Implications

Type	Activity	Potential Adverse Environmental Impacts
Irrigation	rehabilitation of older schemes or new construction river diversions dam and pond construction land leveling digging/boring wells	transmission of waterborne diseases destruction and/or impairment of wetlands salinization of soils alteration in aquatic ecology, including fisheries surface and groundwater water pollution (non-point source farm runoff) effects on downstream water flow effects on groundwater quantity water use conflicts
Water Supply and Sanitation	potable water supply latrines & sewerage water catchments wells & ponds	groundwater aquifer drawdown or depletion waterborne disease transmission contamination of groundwater deforestation, overgrazing, trampling of vegetation around wells
Health Services Programs	immunizations AIDS/HIV treatment	medical and biohazardous wastes disposal of used/spent needles
Rural Infrastructure	construction and/or rehabilitation of secondary and tertiary (farm to market) roads construction of public buildings (health posts, schools)	opening of otherwise intact forest or protected areas to exploitation and/or destruction erosion and uncontrolled runoff from improper construction practices or lack of adequate drainage impacts on land use, e.g., wetlands or farmlands
Natural Resources Management	soil and water conservation, e.g., bunds, terracing, etc. reforestation land clearing exotic species introduction, e.g., non-indigenous seed	improper/incomplete structures add to erosion potential inadvertent shifts in land use patterns destruction of natural or secondary forest for reforestation with exotic species disruption of ecosystem balance through commercial production or harvesting of fauna or flora displacement by exotic species of endemic (local) species; weediness
Crop Protection, Livestock Disease Control	introduction and application of pesticides use of dip vats	water pollution (non-point source farm runoff) environmental contamination human contact with toxic substances (acute or chronic) residues in food commodities, milk and meat poisoning of livestock

1.4. Resources to support Reg. 216 compliance, environmental analysis, and associated capacity-building

USAID Resources. Partners and Mission staff will find that there are other sources of information within USAID Missions and Regional Bureaus regarding compliance with 22 CFR 216.

- To the extent that this *EPTM* or other similar unofficial Agency documents suggest processes or procedures for completing Initial Environmental Examinations (IEEs) and other environmental documentation, these are meant to be purely advisory and, it is hoped, helpful suggestions. For authoritative guidance, refer to 22 CFR 216 itself, and consult with USAID's Bureau Environmental Officers (BEOs) or other knowledgeable staff.
- USAID's environment home page is a useful portal to many of the agency's environmental resources and publications (<http://www.usaid.gov/environment>).
- Africa Bureau's Environmental Capacity-Building Program (ENCAP) website contains training and resource materials on Regulation 216 compliance, environmentally sound design, and environmental review and analysis (www.encapafrika.org).
- Other Bureaus also maintain environmental resource sections of their websites, including the Europe and Eurasia Bureau (http://www.usaid.gov/regions/europe_eurasia/), and the Asia and Near East Bureau (<http://www.usaid.gov/regions/ane/>).
- AFR's Africa Bureau maintains a number of pertinent resources and documents (www.afr-sd.org). These include a searchable database of the environmental documentation submitted for Africa-based projects and decisions rendered (<http://www.afr-sd.org/IEE/>).

Help with Small-Scale Projects. There are many handbooks on environmentally sound design and management of small-scale projects. A first point of departure should be USAID's *Environmental Guidelines for Small-Scale Activities in Africa* which provides summary guidance for a number of common sectors, and provides an annotated sector-by-sector bibliography (available for download at www.encapafrika.org).

Web portals. A number of organizations maintain websites which catalogue and provide access to a wide set of environmental assessment/ environmentally sound design resources:

- Food Aid Management (FAM) maintains an extensive library of environmental resources, including best practice resources and environmental documentation submitted to USAID by its partner organizations. (www.foodaid.org)

Disclaimer

This manual is advisory. It does not replace or supplant the text of Regulation 216.

For authoritative guidance, consult the text of the regulation, or a USAID Bureau Environmental Officer (BEO) or Regional Environmental Officer (REO)

- The International Association for Impact Assessment (IAIA) website is a valuable starting point for exploring environmental assessment resources on the Internet (www.iaia.org)

Note also that general environmental impact assessment/environmentally sound design resources are available within host country universities, among host government environmental/natural resource planning and management units, and through in-country private consultants. It may also be possible to capitalize on available training courses in technically specific areas of value to USAID Partners and/or Mission staff.

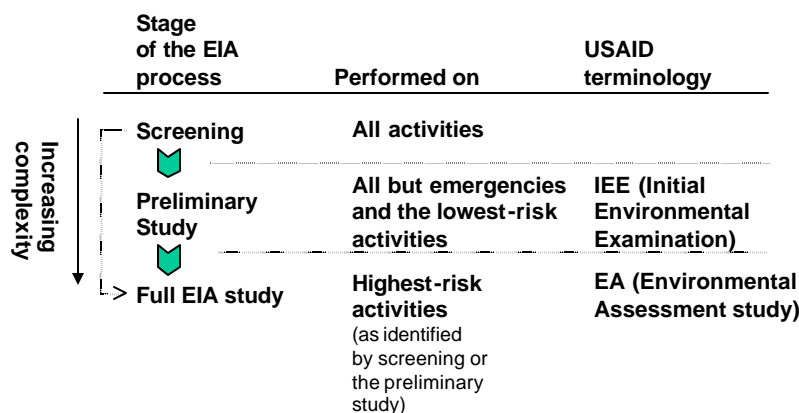
USAID Missions, PVOs and other Partners have generated numerous ideas on how best to provide additional resources and capacity to support environmental analysis. Some of these ideas are discussed in Section 5. We welcome your additional suggestions and thoughts.

Chapter 2. Screening and Classifying Activities Under Regulation 216

As mentioned in Chapter 1, Regulation 216 is a particular implementation of the general environmental impact assessment (EIA) process, conforming to norms of good EIA practice.³ EIA processes—and thus Regulation 216 compliance—begin with an initial SCREENING of proposed activities or projects. The purpose of screening is to separate activities which, *by their nature*, pose inherently low risks of environmental harm from those which pose moderate or high risks of environmental harm.

In EIA, very low-risk activities identified by screening require no further analysis. Other activities are subject to a preliminary study. In USAID parlance, this preliminary study is called the *Initial Environmental Examination*. In many cases, the preliminary study determines that the proposed activities pose little threat of significant environmental harm. Where the preliminary study identifies a possibility of significant harm, however, a full-scale EIA study is required. Such a study (called an *Environmental Assessment* by USAID) requires the efforts of a professional team over at least several months.⁴ This series of steps, from screening to full study, is depicted in Figure 2.1, below:

**Figure 2.1: the EIA process:
screening to full impact study**



All EIA processes begin with screening. . . and Regulation 216 compliance is no exception.

Screening examines the nature of activities and sorts them into risk categories.

All but the lowest-risk activities require further analysis.

³ See, for example, USAID's *Topic Briefing: Introduction to EIA* available for download at www.encapafrica.org.

⁴ For certain enumerated activities, Regulation 216 permits skipping the IEE entirely and proceeding directly to a full EIA study, or *Environmental Assessment*. As explained subsequently in the text, this guide recommends always completing the IEE first.

This chapter first provides a step-by-step guide to screening under Regulation 216. *This is the critical first step in Regulation 216 compliance.* You will see that Regulation 216 enumerates types of activities “normally having a significant [adverse] effect on the environment,” as well as those for which environmental impacts are expected to be not significantly adverse. Regulation 216 sets out particular terminology for these screening outcomes and classes of activity. This chapter introduces this terminology.

The chapter then overviews the possible results of the *Initial Environmental Examination* and introduces IEE terminology. Again, the IEE is conducted for all but the lowest risk activities.

Once(1) screening is completed, and (2) the basic IEE concepts are understood, the reader turns to **Chapter 3**. Chapter 3 matches screening results to the type of environmental documentation required for the proposed intervention.

NOTE: Please read through the entire chapter before starting to classify your activities.

2.1. Step I: Summarize ALL of your proposed activities.

The essential first step is to gather information describing all activities being planned, including the location and specific nature of all components of the activity.

- Include any associated activities related to the primary activity. For example, if you are assisting with small-scale irrigation, is a road being built as part of the irrigation activity?
- Include all the specific physical components of the activity. For example small scale irrigation might involve a diversion or a dam, water distribution canals, leveling of land, possible relocation of farmers, and so on.
- If you have activities for which detailed information is not available, gather whatever information you can about the generic nature and general location of such activities.
- Your list should include the entire life-of-project (LOP) activities, even if some were begun long before submission of Reg. 216 documents.

Screening must be performed on a COMPLETE list of activities

- *include associated activities*
 - *include the entire life-of-project*
-

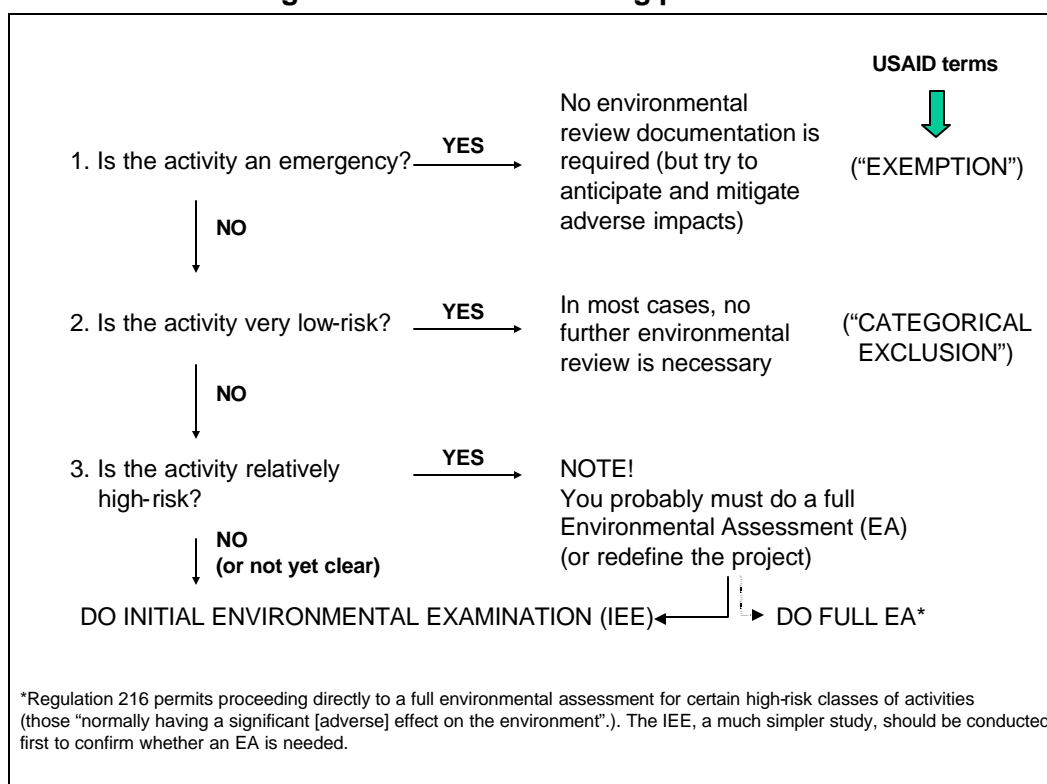
The information you gather should be organized in table(s) that summarize key information. A Sample Summary table is provided (Table 2.1). Annex E illustrates how to fill out a summary table. Note that a summary table is typically a part of the final environmental documentation.

Definitions of terms and explanations of how to fill out these tables are provided in the instructions that follow.

Table 2.1: Sample summary table

Activity type or description	Geographic Distribution, Location	Sites/Projects (number, geographic division)	Scale & Quantity of Activity	Unit [ha, etc.]	Screening outcome	Recommended IEE Threshold Decision
IR 1: ¼						
Subtotal (% of total budget)						
IR 2: ¼						
Subtotal (% of total budget)						
Grand Total %						

Figure 2.2: USAID screening procedures



2.2. Step II: Classify each activity under Reg. 216

The purpose of screening is to determine what level of environmental review, if any, will be required. In screening, these decisions are made on the basis of the *general nature of the proposed activities*.

For *each* activity listed in your summary table, you must follow the screening procedure summarized in Figure 2.2, and described in detail below.

CAUTION: You do not have the freedom to decide on your own whether your proposed activities are “emergencies,” or whether they are intrinsically “low risk.”

Instead, Regulation 216 defines the activities that fall into these various categories, as well as the USAID terminology that describes them. Terminology and definitions are presented below.

Key USAID terminology for screening:

Reg. 216 defines two several types of environmental decisions (also called classes of action in the regulation) applicable to screening. These are:

- **Exemptions:** Exemptions apply to activities conducted on an emergency basis or other unusual situations. As the name implies these actions are not subject to Reg. 216. Nevertheless, prudent and sound environmental practices should be applied. See 2.A and discussion below.
- **Categorical Exclusions:** Categorical Exclusions are classes of actions that, by their nature, typically pose a very low risk or have no effect on the environment—e.g., studies, seminars, or training. They require only brief documentation that supports the applicability of the exclusions as defined in Reg. 216. See Box 2.B and discussion below.

Note. Categorically excluded activities may contribute to future/indirect environmental impacts of associated activities. For example, consider training in latrine or road construction. The training itself is categorically excluded, but the future construction activities arising from the training will certainly have environmental impacts. For this reason, the training should communicate principles of environmentally sound design.

1. Are Any of Your Activities Exempt from USAID Environmental Procedures?

As Figure 2.2 shows, the first step in screening is to determine whether ANY of your activities are exempt from USAID’s environmental regulations. Again, exemptions essentially apply to emergency situations. They are relatively uncommon. If you are using this guide, your activities are **probably NOT exempt**.

Box 2.A Summary of “EXEMPTIONS”

Exemptions are essentially emergency situations, and include:

- International disaster assistance—i.e., situations in which an immediate response is required and no immediate alternatives are available. E.g:
 - Emergency relocation of flood victims
 - Establishment of refugee camps for rural populations caught in civil strife
 - Emergency medical infrastructure, materials and equipment for victims of war
- Other emergency situations (requires Administrator (A/AID) or Assistant Administrator (AA/AID) formal approval)
- Circumstances with “exceptional foreign policy sensitivities” (requires A/AID or AA/AID formal approval.)

Box 2.A lists the general categories of activities which may be exempt. **If any of your activities seem to fit these categories, consult Annex A for the full definition of exempt activities.**

Now, enter “exempt” in the “screening outcome” column of the summary table for any activities which meet the formal exemption criteria described in the annex. Note that a single activity proposal should NOT contain a mix of exempt and non-exempt activities.

2. Do Any of Your Activities Qualify for Categorical Exclusions?

The second step in screening is to determine if any activities are “categorical exclusions.” Again, categorical exclusions are activities which, by their nature, typically pose negligible risk to the environment.

Box 2.B summarizes the types of activities usually qualifying for categorical exclusions. Box 2.B is only a summary of Regulation 216 language. **If any of your activities seem to fit these categories, consult Annex A for the full definition of categorically excluded activities.**

Please note that **no categorical exclusions are possible for projects involving the procurement or use of pesticides.**

Now, enter “categorically excluded” in the “screening outcome” column of the summary table for any activities which meet the formal criteria described in the annex. **You MUST cite the proper section of Regulation 216 justifying the exclusion.** Annex A contains these citations.

Please note: Categorical Exclusions are not a right; they are granted at the discretion of the Bureau Environmental Officer.

What now?

At this point, you have now checked to see whether each activity may be (A) exempt, or (B) categorically excluded. Look at your summary table.

- **If ALL your activities are exempt**, no environmental documentation is needed. (Note: Proposals should not contain a mix of exempt and non-exempt activities.)
- **If ALL your activities are categorically excluded**, you need only complete the categorical exclusion documentation. (This is the “Facesheet” and the Categorical Exclusion request form.

These forms direct you to (1) briefly describe the activities and (2) cite the Reg. 216 section number(s) that justify the exclusion (e.g., 216.2(c)(iii)). There is no need to read further. You can skip ahead to the next chapter, which describes these documentation requirements in more detail.

- **Otherwise, you prepare an Initial Environmental Examination (IEE).** If you have ANY activities which are not exempt or categorically excluded, you must conduct an IEE.

Box 2.B Summary of activities normally qualifying for categorical exclusions

- Education, training or technical assistance
- Limited experimental research
- Analysis, studies, workshops, meetings
- Documents or information transfer
- General institutional support
- Capacity building for development
- Nutrition, health, population and family planning activities (except for construction)

NOTE: Categorical exclusions also include situations in which USAID has no direct control over the activity. Examples include:

- Support to intermediate credit institutions if USAID does not review or approve loans
- Commodity Import Programs (CIPs), when USAID has no knowledge of or control over use;
- Support to intermediate credit institutions if USAID does not review or approve loans; Projects where USAID is a minor donor;
- Food for development programs under Title III, when USAID has no specific knowledge or control; and
- Grants to PVOs where USAID has no specific knowledge or control.

An IEE is a review of the *reasonably foreseeable effects* on the environment of a proposed action. IEEs also identify the mitigation and monitoring actions needed. An IEE is a streamlined, simplified version of a full environmental assessment (EA) study (see below). EAs are only conducted if the IEE indicates that an activity is likely to result in significant, adverse environmental effects.⁵

For projects including the procurement or use of pesticides, the procedures set forth in §216.3(b) will be followed, in addition to the IEE procedures.

Enter “IEE” in the “screening outcome” column of the summary table next to ALL activities which are neither exempt nor categorically excluded.

Box 2.C. Common Development Activities that May Trigger an EA

Development activities could well invoke an EA if they involve the following types of actions:

- Irrigation or water management including dams
- Agricultural land leveling & Drainage
- Large scale agricultural mechanization
- New land development
- Resettlement
- Penetration road building or road improvement
- Power plants
- Industrial plants
- Potable water and sewage, unless small scale
- Activities jeopardizing endangered and threatened plant and animal species, biodiversity or critical habitat
- Use or procurement of pesticides
- Activities adversely affecting relatively un-degraded tropical forest

3. Are any of your activities likely to require a full Environmental Assessment?

Before you begin an IEE, it is useful to know whether any of your activities are likely to require a full environmental assessment (EA).

EAs are conducted for activities likely to have significant adverse impacts on the environment. They are much more detailed than IEEs, and thus also more time and resource-intensive. EAs require a professional, multi-disciplinary team, and typically take a minimum of several months to complete.

A “Standard EA” assesses a single, discrete project. Three specialized types of EAs exist that have broader scopes. Additional information on these specialized EAs preparation can be found in Annex F.

- **Programmatic Environmental Assessments (PEAs)** may be carried out if there are many similar activities either within a particular program, or where several USAID Partners have similar activities.
- **Strategic Environmental Assessments (SEAs)** may be undertaken to assess overall environmental impacts from a set of proposed policies or programs.
- **Regional Environmental Assessment (REAs)** may focus on the potential impacts of development within a specific geographic region or ecological zone.

USAID has identified a set of activities which, by their nature, typically require an EA. These activities are summarized in Box 2.C. Before you conduct your IEE, you should know whether your project falls into this category.

If you believe that any of your activities fall into these or other similar high-risk categories, consult the fuller description contained in Annex A. In the summary table, star or underscore any activities meeting the criteria set out

⁵ Regulation 216 permits proceeding directly to an EA in certain cases. This manual does not recommend this approach, for reasons discussed subsequently.

in Annex A. These activities must receive special attention during the IEE process (discussed next).

Note that for these “high-risk” actions, Reg. 216 permits the preparation of an EA without first preparing the IEE. **However, this guide recommends always preparing an IEE first. The screening instructions of this chapter are written accordingly.** The IEE may indicate that the environmental issues posed by the project can be addressed by incorporating clearly effective mitigation and monitoring measures into the project design. Thus, from a practical point of view and as a matter of Agency practice, an IEE should always be completed before an EA is considered.

This argument particularly applies to PVO activities: Because PVO activities are typically small in scale, the examples cited in Box 2.C may not trigger an EA. (Note that no definitive standards or written criteria exist to distinguish “small-scale” from “large-scale” and “non-significant” from “significant.” It is the role of the IEE to address these issues through informed judgment.)

You have now finished the screening process.

The “screening outcomes” column of the summary table should be completely filled in.

2.3. The Initial Environmental Examination (IEE)

You must conduct an IEE unless screening shows that ALL your activities are either exempt or categorically excluded. This sections overviews the outcomes of the IEE, and IEE terminology. Chapter 4 provides detailed instructions for preparing the IEE.

Purpose of the IEE

IEEs are prepared to provide a first look at possible effects of activities on the environment, and to commit partners to appropriate environmental mitigation and monitoring.

IEEs should be regarded as useful design tools for improving the long-term success of development interventions, and not simply as documents necessary to comply with USAID environmental procedures. An important function of an IEE is to identify design modifications and appropriate ways to avoid or reduce potential impacts. It is also used to identify any needed monitoring.

IEE outcomes

A single IEE can—and most often does—assess more than one activity. **For each activity assessed**, the IEE has four possible outcomes, as depicted in Figure 2.3:

As the figure indicates, Regulation 216 defines a specific sets of terms corresponding to these outcomes.

Box 2.D What is an IEE?

An IEE is a review of the *reasonably foreseeable effects* on the environment of a proposed action. IEEs also identify the mitigation and monitoring actions needed.

An IEE is a streamlined, simplified version of a full environmental assessment (EA) study (see below). EAs are only conducted if the IEE indicates that an activity is likely to result in significant, adverse environmental effects.

**Regulation 216
terminology for the
IEE:**

A negative determination means the activity will have no significant adverse effects on the environment

A negative determination with conditions means that specified mitigation and monitoring will prevent significant adverse effects on the environment

A positive determination means the activity may have significant adverse effects on the environment

- **Negative determination:** The IEE returns a **negative determination** if the activity has no significant (adverse) effects on the environment.
- **Negative determination with conditions.** If the determination is negative, but some specific conditions merit monitoring (one cannot predict everything) or if there are some specific mitigative measures (i.e., measures that can be taken to minimize, avoid, or compensate for adverse effects during construction or implementation), the negative determination can be made with conditions. For example, a condition might be that water quality be monitored or that measures be taken to prevent erosion and siltation.

A “Negative determination with conditions” can apply when there are multiple small-scale activities, the details of which are not known when the IEE is prepared. Under these circumstances, the conditions specify subsidiary environmental reviews. Additional guidance for environmental reviews of multiple small-scale activities is provided below in *Table 4.2: Guidelines for choosing the type of IEE you write* and in Annex G.

Negative determinations with conditions are probably the most common IEE outcome.

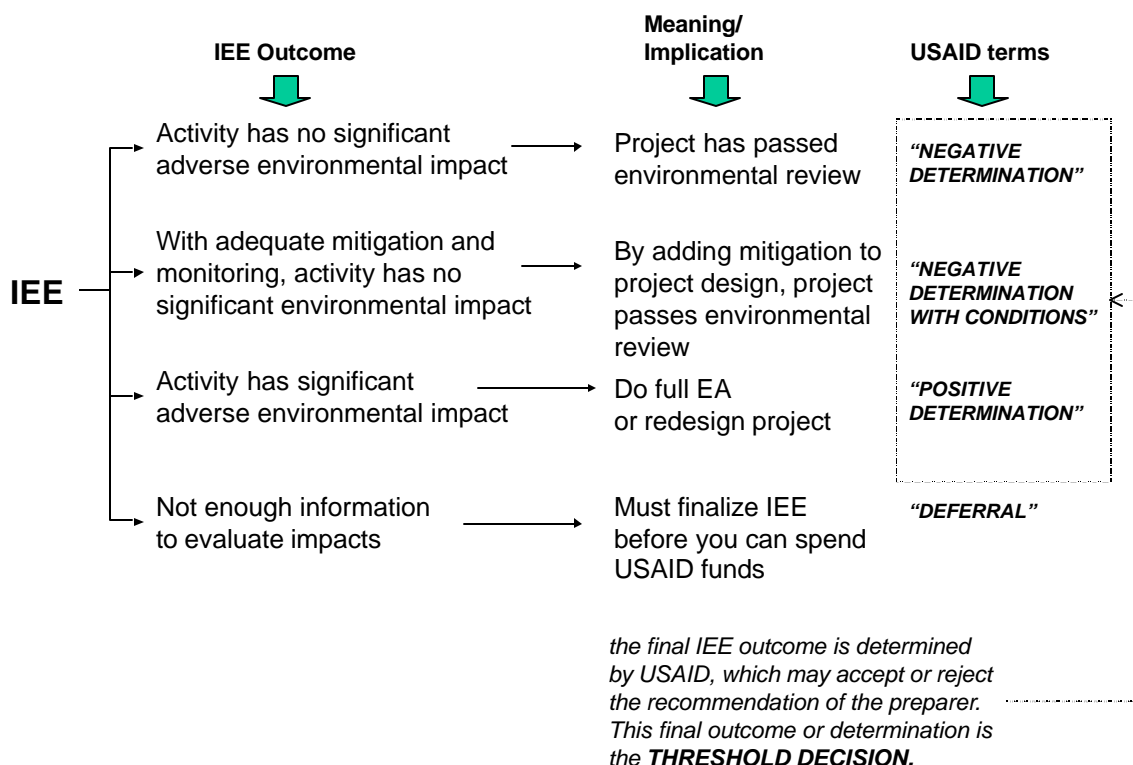
- **Positive Determination:** A positive determination results if the IEE indicates there could be significant adverse effects. This means that an Environmental Assessment (EA) must be completed and approved⁶ before USAID can obligate funds or an activity can be implemented. *No irreversible commitments of resources can be made before the EA is completed and approved.*

During the screening process, you should have starred or underscored any activities falling into USAID’s definitions of “high-risk” activities. (I.e., the specific list of actions in Reg. 216 defined as normally having a “significant effect.”) These actions will likely result in positive determinations unless project design changes are made, or adequate mitigation and monitoring measures can be devised.⁷

⁶ Under Reg. 216, an EA is prepared for USAID actions outside the U.S., but this does not apply when these actions might affect the U.S., the global environment, or areas outside the jurisdiction of any nation, such as oceans. Where such effects might occur, as determined by the Agency Environmental Coordinator,⁶ Reg. 216 calls for preparation of an Environmental Impact Statement (EIS). The EIS requirement is very rarely invoked—only one has been done in USAID’s history

⁷ As noted previously, Reg. 216 permits the preparation of an EA for these “high-risk” actions without first preparing the IEE. Again, however, this guide recommends always preparing an IEE first. The rationale for this is that the IEE may indicate the activity or project actually can be given a negative determination with conditions. (The “conditions” in this case are clearly effective mitigation and monitoring measures built into the activity or project design.) Thus, from a practical point of view and as a matter of Agency practice, an IEE should always be completed before an EA is considered.

Figure 2.3: Four possible results of the IEE



Notes regarding Reg. 216 terminology

“Negative” vs. “Positive” determinations. Reg. 216 uses the terms “negative” and “positive” in the same sense as medical tests. Thus, a negative result is the best outcome, in the same way that a negative test for TB or HIV indicates that the individual does NOT have the disease.

“Significant” Effect. In standard English usage, “Significant” has no implication of harm or benefit. However, the language of Regulation 216 defines “significant effect” as meaning that an action is likely to do significant *harm* to the environment. An effect is not considered significant when activities are **not** expected to do significant harm to the *biophysical environment*—under normal conditions and with good practices. To avoid confusion in this manual, we always add (adverse) to the Regulation 216 language. (E.g. “significant (adverse) effect.”)

Deferrals are only recommended when the activity is yet sufficiently defined to evaluate environmental impacts

An amended IEE must be filed assessing the activity before any funds can be obligated to that specific activity.

- **Deferral.** Finally, an IEE can result in deferral. A deferral applies when activities are not yet sufficiently well defined to assess their probable environmental impact. Deferrals require documentation explaining *why* sufficient information is not available and when resolution of the deferral can be expected.

Declaring a “deferral” also means deferring implementation of the affected activity; under a deferral, USAID *cannot obligate funds*. Thus, deferrals only postpone the inevitable—one must return to do an amended IEE to resolve the outstanding deferral of a decision. In some cases, particularly for small-scale activities, the negative determination with conditions that require subsidiary environmental reviews is preferable.

USAID Partners submitting an IEE recommend or request one of the four IEE outcomes for EACH activity covered by the IEE. The appropriate Bureau Environmental Officer (BEO) at USAID makes the final determination on these outcomes, and can accept or reject the recommendation. This final determination is called a **THRESHHOLD DECISION** in Regulation 216. (Note that a deferral is not a threshold decision. Rather, a request for deferral is a request to *defer* the threshold determination.)

At this point, you are ready to begin preparing your IEE or other environmental documentation. Proceed to Chapter 3.

Figure 2.4: Screening Process with USAID terminology

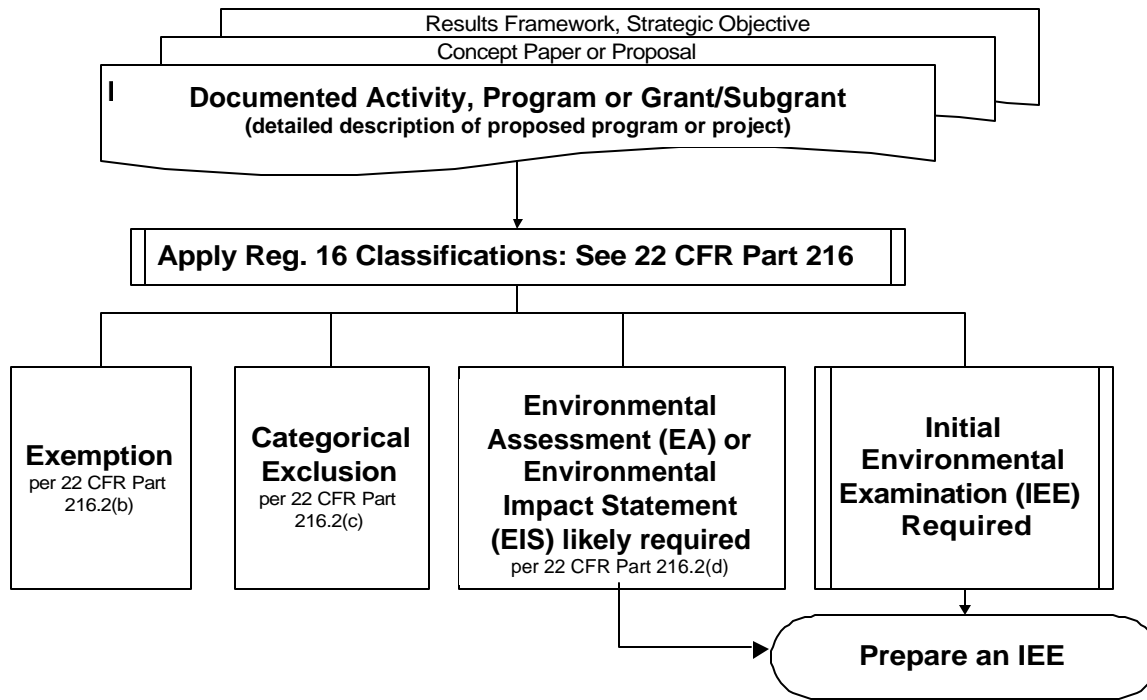
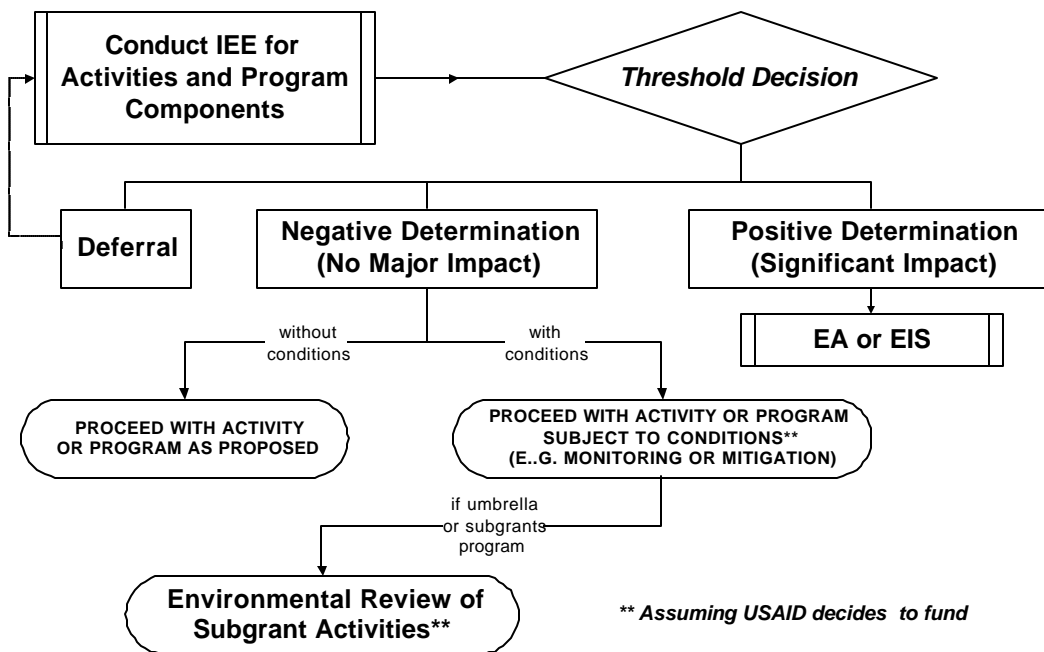


Figure 2.5: IEE outcomes with USAID terminology



Chapter 3.

Required Documentation: Determination and Overview

In Chapter 2, you *screened* your activities and filled in the summary table. This Chapter describes the environmental documentation you must prepare and submit to USAID as a result of this screening process.

3.1. What environmental documentation must you submit?

New activities

Recall that the screening process results in one of three outcomes for each activity: (1) exempt, (2) categorical exclusion, or (3) IEE required. At this point, the “screening outcomes” column in your *summary table* (Table 2.1) should be completed. A screening outcome should be indicated for each activity.

The screening outcomes determine the environmental analysis that must be conducted and the environmental documentation that must be submitted. Examine your summary table and identify the overall screening outcome that applies to you:

Table 3.1: Screening determines required environmental documentation

Overall screening outcome	Environmental documentation required
All activities are exempt*	None
All activities are categorically excluded	Facesheet AND Categorical exclusion request
All activities require an IEE	Facesheet AND IEE covering all activities
Some activities are categorically excluded, some require an IEE	Facesheet AND IEE covering activities for which an IEE is required AND justifying the categorical exclusions.

*there should be no instances in which a mix of exempt and non-exempt activities are submitted in a single proposal document.

Note: if the IEE finds that the project or activity may have significant adverse effects on the environment, a full Environmental Assessment (EA) study will be required.

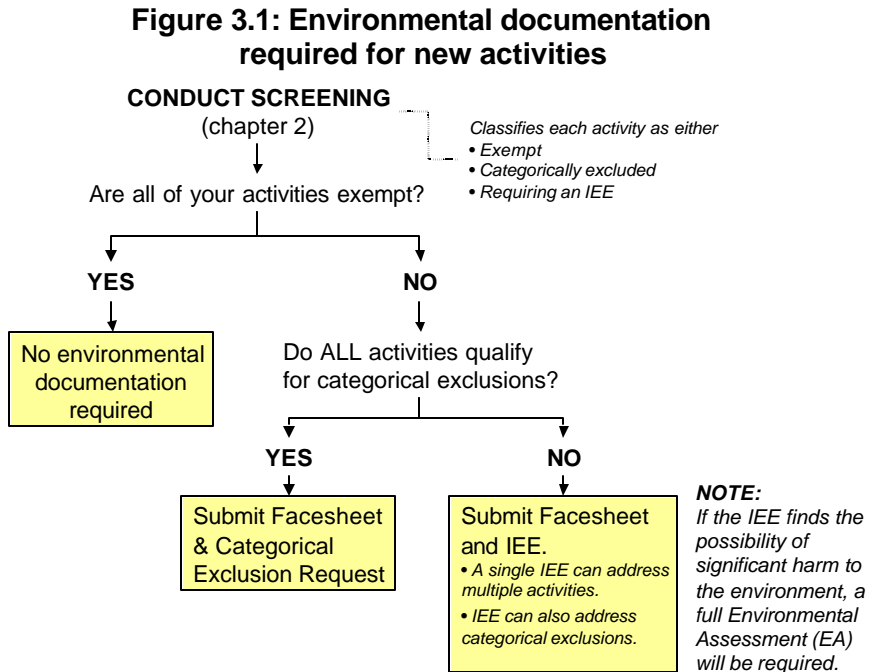
For New Activities:

Match your screening results to required environmental documentation.

Read the description of the documentation which follows later in this chapter

The table identifies three basic types of environmental documentation (the Facesheet, the Categorical Exclusion Request, and the IEE). Section 3.2 describes each of these basic documents.

Table 3.1 can be understood as the result of the decision tree depicted in Figure 3.1.



For Modified Activities:

Screen the activities again

Submit an IEE or Categorical Exclusion request amendment, as indicated.

Modified activities

When a project or program is formally modified, an IEE or Categorical Exclusion amendment should be submitted that specifically addresses the changes:

- Conduct screening again on the modified activities, using the screening procedure presented in the previous chapter
- Submit the environmental documentation indicated by the screening result. (Consult Table 3.1)
- Indicate on the compliance facesheet that an IEE or Categorical Exclusion AMENDMENT is being submitted.

Continuing activities

Annual Environmental Status Reports. The Bureau for Democracy, Conflict and Humanitarian Assistance requires that annual Environmental Status Reports be submitted for all Title II-funded activities. These reports are intended to assure that the mitigation and monitoring measures specified in the IEE are being carried out. The ESR is also intended to identify any unusual circumstances or changes to project implementation that may call into question the Categorical Exclusion(s) which may have been given, the

determinations reached by the IEE, or the adequacy of mitigation and monitoring measures. If such circumstances or changes are identified, the ESR directs implementing organizations to file an amended IEE or Categorical Exclusion request.

At the current time, no other Bureaus consistently require annual environmental status reporting.

Updating environmental documentation to reflect year-to-year changes in implementation. Even in the absence of formal modification, implementation of continuing activities may change from year to year in a way that would affect its treatment/classification under Reg. 216. It is good practice to examine environmental documentation each year to assure it is still operative and applicable, and that it addresses all activities actually being implemented. If such examination indicates that environmental documentation is no longer complete or accurate, proceed as follows:

- Conduct screening again on the modified activities, using the screening procedure presented in the previous chapter
- Submit the environmental documentation indicated by the screening result. (Consult Table 3.1)
- Indicate on the compliance facesheet that an IEE or Categorical Exclusion AMENDMENT is being submitted.

At this time, only BDCHA requires annual environmental status reports

However, environmental documentation for projects under all USAID Bureaus and Missions should be updated to reflect year-to-year changes in implementation of continuing activities.

3.2. The four basic environmental documents: an overview

The overview of environmental documentation requirements presented above identified four basic documents:

- The compliance facesheet
- The Categorical Exclusion Request (or Categorical Exclusion Request Amendment)
- The IEE (or IEE Amendment)
- The Environmental Status Report

Each is briefly described in this section.

The compliance facesheet

The compliance facesheet is required in all cases, *except* where ALL activities are exempt. The facesheet simply summarizes the following information:

- Basic activity or project information
- Whether the facesheet supports a new activity, or whether it is submitted in support of a modified activity (and thus amends preexisting environmental documentation).

The compliance facesheet is found in Annex C.

It is used in all cases, except where activities are exempt.

- Screening outcomes
- Recommended IEE determination, if applicable.

The facesheet should be completed AFTER completing the Categorical Exclusion request, and/or an IEE. It summarizes information taken from these documents.

The facesheet is found in Annex C. Examples of prepared facesheets are located in Annex D.

The Categorical Exclusion request is found in Annex C.

It is used when ALL activities qualify for categorical exclusions.

The Categorical Exclusion request

The Categorical Exclusion request is required when screening indicates that ALL activities should be categorically excluded. The Categorical Exclusion request should cover ALL these activities.

The Categorical Exclusion request requires you to (1) describe the activities briefly; and (2) justify the request for Categorical Exclusion by citing the relevant provision of Reg. 216. For example, providing health information, training farmers or supporting primary school curriculum development would typically qualify for a Categorical Exclusion.

Note, however, that even a proposal in which all activities are Categorical Exclusions may need to incorporate provisions for monitoring and application of sound environmental principles and practices. In the example above, for instance, the Categorical Exclusion request would document that farmer training will include principles and practices of environmentally sustainable agriculture.

The IEE

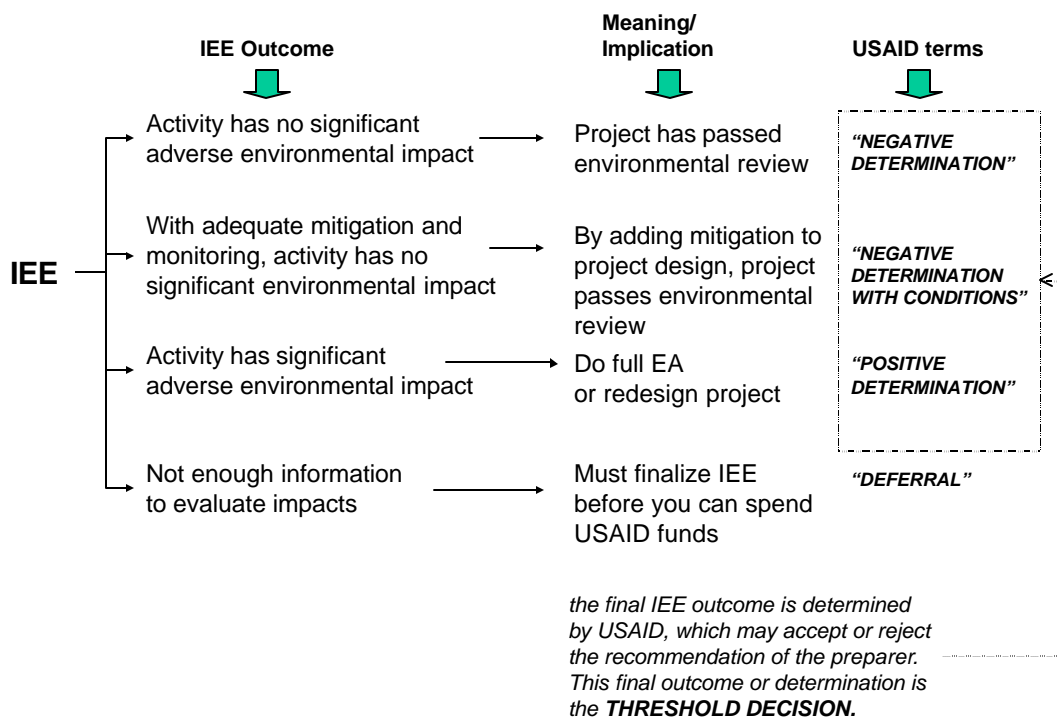
You must conduct an IEE unless screening shows that ALL your activities are either exempt or categorically excluded. The IEE should cover ALL activities whose screening result is “IEE required.” Writing the IEE is the subject of the next chapter.

Purpose of the IEE. As noted earlier, an IEE is a review of the reasonably foreseeable effects on the environment of a proposed action. The IEE process has one of four outcomes, as indicated in Figure 3.2. The IEE preparer recommends one of these outcomes for *each* activity covered by the IEE. The IEE must provide enough information so that USAID can accept or reject these recommended determinations. IEEs document monitoring and mitigation measures, and the adequacy of these measures will significantly influence the determination given to the activity. IEE terminology is described in detail in Chapter 2.

Basic outline. Box 3.1 contains the standard IEE outline. The next chapter is a guide to writing the IEE, and contains detailed information about each element of this outline.

Variations. Note that there are many variations on the basic IEE, depending on particular characteristics of the proposed activities. These are also addressed in the next chapter.

Figure 3.2: The four possible outcomes of the IEE process



Box 3.1
Basic IEE outline

Program/Activity/Preparer Data:

1 Background and Activity Description

- 1.1 Background
- 1.2 Description of Activities

2 Country and Environmental Information (Baseline Information)

- 2.1 Locations Affected
- 2.2 National Environmental Policies and Procedures *(of host country, both with respect to environmental assessment generally, and any requirements particular to the activity)*

3 Evaluation of Environmental Impact Potential

4 Recommended Determinations and Mitigation Actions

(Includes Monitoring and Evaluation)

- 4.1 Recommended IEE Determinations *(includes justification of categorical exclusions identified during screening)*
- 4.2 Mitigation, Monitoring and Evaluation
- 4.3 Summary table

Mitigation and monitoring are often not given sufficient attention by IEE preparers, perhaps because of pressures associated with meeting submission deadlines, insufficient technical understanding of mitigation and monitoring options, or the natural tendency to focus more on the urgency of initiating present activities than on thinking carefully about potentially adverse effects. It is important that you devote proper time and care to this task.

On the other hand, some preparers go too far in the other direction, creating unrealistic mitigation checklists and a host of superfluous factors to be monitored. It is best to start with a doable mitigation strategy, and then limit your monitoring to only that which realistically will help you determine if your mitigation is working. Mitigation and monitoring are singled out for attention here, because every Partner or Mission should **revisit their environmental mitigation and monitoring strategy or management plan annually**.

Note that since June 1998, USAID has required water quality testing of USAID-funded potable water sources. This required monitoring measure must be noted in the IEE. See Box 4.L on this topic.

The Environmental Status Report (applies to BDCHA only)

As noted above, BDCHA projects and programs (i.e., those funded under Title II/monetized food aid) require an annual *Environmental Status Report (ESR)*. The ESR is submitted as an appendix to the project or program annual report. It must be submitted for *all previously approved programs*, whether those programs were approved under a Categorical Exclusion, an IEE, an EA or PEA.

The ESR is intended to assure that mitigation and monitoring as specified in the IEE are being carried out. The ESR is also intended to identify any unusual circumstances or changes to project implementation that may call into question the Categorical Exclusion(s) given the project, the determination reached by the IEE, or the adequacy of mitigation and monitoring measures. If such circumstances or changes are identified, the ESR directs implementing organizations to file an amended IEE or categorical exclusion.

In 2-10 pages or less, the Environmental Status Report narrative should indicate whether steps need to be taken to amend previous environmental documentation and whether conditions are being met, e.g., mitigation plans are on schedule and that the specified monitoring and evaluation measures are being undertaken by the Partner. In a Mission's comments and/or approval cable on annual reports or project or program modifications, the Mission should state whether it concurs with the Environmental Status Report. See Section 3.6, below.

The 'Environmental Status Report Instructions and Format' and the 'Environmental Status Report Facesheet' are provided in Annex C.

Before the completing an ESR, read the guidance on formulating IEE mitigation and monitoring plans contained in Chapter 4.

3.3. Preparation, submission and approval process

Basic roles and responsibilities. All environmental documentation **must first be approved at the Mission level**, and then by the relevant USAID Bureau Environmental Officer (BEO) in Washington. Approval by the BEO is required by Regulation 216. Both the Mission and headquarters may request revisions. Reasons for revision may include adequacy, completeness, or consistency with overall documentation for the Mission program.

The Mission Director typically designates the Mission Environmental Officer (MEO) as the individual responsible at the Mission level for approving environmental documentation. In a non-presence country, the role of the MEO is filled by the Regional Environmental Officer (REO). The USAID Mission may choose to have the REO assist the MEO in assessing environmental documentation. Once the Mission has approved the documentation, the Mission typically takes responsibility for forwarding documents to USAID/Washington.

Primary responsibility for preparation of documentation varies by USAID Region.

- In **Asia and the Near East**, most projects are larger in scale and executed directly by the Mission. Mission personnel thus have responsibility for IEE preparation.
- In **Africa**, most projects are smaller in scale and executed through USAID Partner organizations (typically PVOs). Typically, the USAID Partner is responsible for drafting environmental documentation and finalizing it based on comments received from USAID.

It is possible, however that the Mission may prefer to prepare the documentation itself, based on input from Partners (e.g., in the case of new programs or initiatives). In either case, Partners should discuss environmental impact issues with the Mission, typically the Mission Environmental Officer (MEO), prior to the preparation of environmental documentation.

In either case, the screening process and documentation requirements are identical. This section is generally written as if the USAID partner is responsible for preparing this documentation. The slightly simpler case of Mission preparation is easily abstracted from the following discussion. See Chapter 5 (Frequently Asked Questions) for more on role and responsibilities.

Timing of submission. Environmental documentation is submitted concurrent with project proposals or amendments. Amendments to projects/proposals should be accompanied by environmental documentation amendments.

Deferrals should be resolved (using an IEE or Categorical Exclusion amendment) as soon as the necessary information is available.

Consultation with the Mission is STRONGLY recommended. As emphasized above, USAID partners are expected to work with the Mission

Where projects are carried out via USAID partners, the Partners are usually responsible for drafting documentation.

Where projects are executed directly by the Mission, the Mission is responsible for drafting documentation.

Environmental documentation is approved first at the Mission level, and then by the appropriate Bureau Environmental Officer in USAID/

in drafting environmental documentation. The principal points of contact are usually the MEO and/or the Program Officer. When no MEO is available, partners should feel free to contact the appropriate Bureau Environmental Officer (BEO) in Washington.

Advance USAID review of draft documentation is recommended.

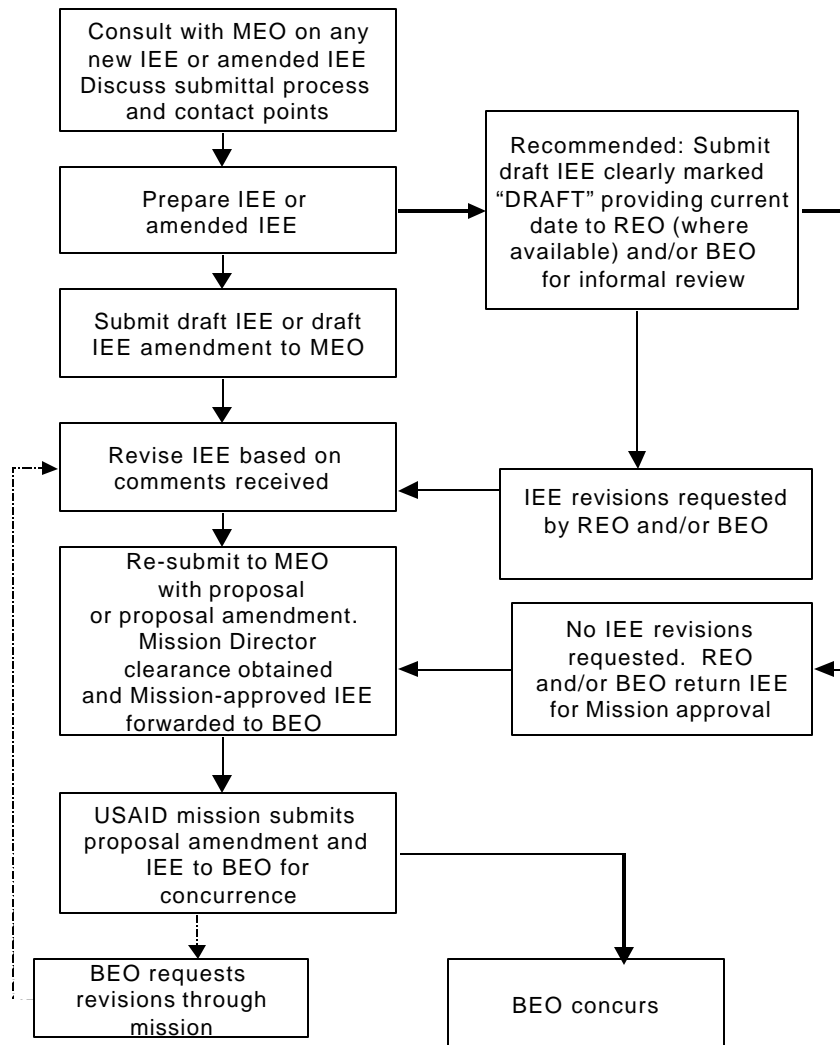
Partners are encouraged to submit DRAFT environmental documentation for informal review by the MEO/Mission, as well as the BEO or REO. Review of drafts encourages a constructive dialogue and ensures that issues are addressed early.

Note: any documentation submitted in draft form **must be re-submitted** to the Mission for formal consideration and approval.

Figure 3.3 depicts an IEE submission and approval process incorporating consultation with the Mission and opportunity for comments on draft documentation.

Clearly mark and date draft documentation!
 All drafts circulated for comment and/or information should be clearly marked with the date and **“DRAFT—Not Yet Approved by Mission”**

Figure 3.3: IEE submission and approval process*



3.4. What if the IEE results in a Positive Determination?

A positive determination indicates that a proposed activity has the potential for creating significant, adverse effects on the environment, and that these issues cannot be resolved by the IEE. In this case, Regulation 216 *requires* that a full Environmental Assessment (EA) or Programmatic Environmental Assessment (PEA) be conducted.⁸ The affected activity *cannot proceed* until the EA is completed and approved, although normally the other activities in the project or program may proceed once the IEE is approved.

An EA or PEA implies a substantial commitment of resources and time. Thus, a potential positive determination should be discussed with the MEO as soon as possible.

Assuming that an EA or PEA is needed, read Reg. 216.6 thoroughly to gain an understanding of the process and the content of the EA document. The first step in the process is *scoping*, which is discussed in detail below.

Scoping Statement

Under standard EIA procedures, a *scoping exercise* is the first step in preparing a full assessment study. Scoping identifies the key issues to be treated in the full study. Here again, Regulation 216 implements standard EIA practice. A scoping statement must be approved by the BEO before work on the EA proper can commence.

The purpose and content of the scoping statement is set out in Reg. 216, §216.3(a)(4). The statement must characterize the “scope and significance of issues to be analyzed” and eliminate from further discussion issues that will not have a significant effect on the environment. It provides a description of: (1) the timing of the preparation of the environmental analyses, including phasing if appropriate, (2) variations required in the format of the Environmental Assessment, and (3) the tentative planning and decision-making schedule. It also provides a “*description of how the analysis will be conducted and the disciplines that will participate in the analysis.*”

Scoping process

The scoping statement is the result/summary of the *scoping process*. The scoping process gathers information from a variety of public and private sources, locally and nationally. It also provides a mechanism for public and technical concerns to be raised and evaluated to assist decision-making and priority setting. It informs and involves people potentially affected, takes into account local values, considers reasonable approaches and practical alternatives, determines the procedures for consultation and analysis, and

A positive determination means that the activity has the potential for causing significant adverse environmental impacts.

In this event, Reg. 216 requires a full environmental assessment (EA) study.

EAs require a professional team and significant resources

Consult with the MEO regarding all positive determinations

Scoping is the first step in conducting a full EA

It should be a consultative and public process.

⁸ If the activity is one of a kind, then a project-specific EA is suitable. If there are many similar activities either within a particular program, or where several USAID Partners have similar activities, a PEA might be more applicable. Additional information on PEA preparation is provided in Annex C. If the activity directly affects the U.S., the global environment, or areas outside the jurisdiction of a country, an EIS (Environmental Impact Statement) will be required.

establishes the terms of reference (preferably for both the EA and each member of the EA Team).

Thus, good EIA practice and Regulation 216 dictate that the process should be *consultative*:

- Regulation 216 specifies that “Persons having expertise relevant to the proposed action shall also participate in this scoping process. (Participants may include but are not limited to representatives of host governments, public and private institutions, and the USAID Mission staff and contractors.)
- Good practice requires that scoping should also involve consultation with the general public and all potentially affected parties.
- In general, Regulation 216 requires collaboration with the host country “to the maximum extent possible” (§216.6(b)). If USAID has required an EA or PEA, your host country may also require a similar document. This is an issue that should be addressed in the scoping statement so that one document satisfies both USAID and host country procedures.

Box 3.2 **EAs as capacity- building opportunities**

Host country environmental management capacity is essential to the success of economic development efforts. Limited opportunities for host country professionals to practice these skills is one of the largest barriers to capacity-building in this area.

Therefore, scoping and EA processes should employ host country expertise to the greatest extent possible.

Collaboration with the host country throughout the scoping and EA process helps to build institutional capacity and developing country-specific approaches to environmental assessment, mitigation, and strategic management.

The completed EA or PEA should be shared with the host country authorities. Public dissemination and review of the document is encouraged

Who prepares the Scoping Statement and the EA?

Scoping statements are typically prepared by the *responsible party* directly. This may be a USAID Partner, or it may be undertaken by Mission staff directly. In the case of a USAID Partner, the process should be designed in close consultation with the MEO and the Project Officer.

Professional contractors are typically engaged to carry out the technical work of the EA itself; the Scoping Statement forms an important part of the contractor’s scope of work. The BEO should be able to provide sample contractor scopes of work and past EAs.

Expected level of effort

Approximately six to eight person-months of effort is typical for a good quality EA or PEA process; three person-months is an absolute minimum. This typically requires a calendar year, although with aggressive workers and committed reviewers, six calendar months is feasible.

If document translation is required to achieve host country participation, more effort is needed.

Despite the time commitment required, the EA or PEA should not discourage you from carrying out important development initiatives. Rather, the EA or PEA should be viewed as a key element of sound design.

Additional resources

The World Bank *Environmental Assessment Sourcebooks* (3 volumes) (1991) provides guidance on approaches to EA, as do numerous other sources. (See USAID’s *Topic Briefing: An Introduction to EIA*” available for download at www.encapafrika.org.)

Chapter 4.

Writing the Initial Environmental Examination (IEE)

As explained in the previous chapter, your screening outcomes determine if you must undertake an IEE. This Chapter guides you through the process of writing the IEE. Note that the process described here is representative of that applied in environmental impact assessment processes anywhere in the world.

Suggested steps involved in preparing an IEE are:

- Step 1: Decide the type of IEE you will write;
- Step 2: Assemble the relevant information resources;
- Step 3: Carry out the environmental analysis (i.e., write sections 1–3 of the IEE narrative);
- Step 4: Consider recommended determinations (threshold decisions);
- Step 5: Settle on recommended threshold decisions and mitigation and monitoring (write section 4 of the IEE narrative);
- Step 6: Fill in the Environmental Compliance Facesheet and attach to the IEE Narrative.

The chapter begins with a brief review of the purpose and content of the IEE, and then addresses each of these steps in turn.

NOTE: Steps 2–5 of the IEE are often an **iterative process**. You prepare each section, following the outline to the extent that you have information. You may need additional information and have to go back to various sections and add detail or, in some cases, revise your conclusions. It is best to jump in and do what you can, then fill in and revise later.

4.1. IEE Review

The IEE is a review of the reasonably foreseeable effects on the environment of a proposed development intervention/activity. The purpose of the IEE is to provide information and analysis sufficient to reach one of four conclusions (or *threshold decisions*) regarding the overall environmental effects of the project. For each activity addressed by the IEE, IEE preparers *recommend* one of these threshold decisions to USAID. USAID can accept or reject this determination.

Box 4.A IEE Basic Outline

Program/Activity/Preparer Data::

- 1 Background and Activity Description**
 - 1.1 Background
 - 1.2 Description of Activities
- 2 Country and Environmental Information** (Baseline Information)
 - 2.1 Locations Affected
 - 2.2 National Environmental Policies and Procedures *(of host country, both with respect to environmental assessment generally, and any requirements particular to the activity)*
- 3 Evaluation of Environmental Impact Potential**
- 4 Recommended Determinations and Mitigation Actions** *(Includes Monitoring and Evaluation)*
 - 4.1 Recommended IEE Determinations *(includes justification of categorical exclusions identified during screening)*
 - 4.2 Mitigation, Monitoring and Evaluation
 - 4.3 Summary table

Table 4.1: IEE outcomes

IEE determination 1(Reg. 216 terminology)	Explanation	Implication
Positive determination	Activity is likely to have significant adverse environmental impacts	Do full Environmental Assessment (EA), or redesign project
Negative determination	Activity has no significant adverse environmental impact	Project has passed environmental review
Negative determination with conditions	With adequate mitigation and monitoring, activity has no significant adverse environmental impact	By adding additional mitigation to project design, project passes environmental review
Deferral	Not enough information to evaluate impacts	Project must be defined and IEE finalized and approved before any “irreversible commitment of resources” can be made.

Note that the text of the IEE will also document any Categorical Exclusions identified during the screening process.

4.2. Step 1:

Decide the type of IEE you will write

Regulation 216 does not specify the IEE format or outline. Over time, USAID practice has standardized around a set of basic approaches. All start from the same outline (Box 4.A, above). These basic approaches are described in Table 4.2. Examine the first column of the table to see what situation best characterizes your proposal. Remember that the IEE must cover all the activities/components for which a screening outcome required an IEE.

Note that subsequent guidance centers on writing the IEE to the basic outline—i.e., to the “basic” or “classic” IEE described in the table. IEE examples in the Annex illustrate how this basic outline is adapted to various other IEE types.

Table 4.2: Guidelines for choosing the type of IEE you write

Situation	Type of IEE	Comment and Explanation
Well-defined, closely related activities at one site.	Basic or “classic” IEE	<p>This is the most straightforward IEE. It requires specific information about the activities over their full lifecycle (i.e., over all phases of the activity), including site selection, design, construction, operation and decommissioning/abandonment.</p> <p>For example, a classic IEE describing agricultural interventions would detail these interventions, how they work, and where they will be implemented. If, on the other hand, dams or river diversions are planned to irrigate an area, required information would include the design of the dam or diversion (e.g., height, volume of water impounded or diverted; location of the water source), upstream and downstream characteristics; etc. In both cases, information about the site, environmental setting, farmers and their families would be required.</p> <p>Examples of “classic” IEEs and amendments are found in Annex D.</p>
Well-defined, closely related activities at multiple sites	Multi-site IEE	<p>Many USAID-supported programs carry out specific, well-defined activities in numerous sites across a region or country. A multi-site IEE can be prepared if the following conditions apply:</p> <ul style="list-style-type: none"> ▪ The multiple activities are well-defined, repetitive and/or predictable; ▪ impacts can be mitigated by measures readily identifiable in advance ▪ sites are known well enough to affirm that no unexpected impacts would occur in sensitive areas (e.g., wetlands, protected areas, etc.). <p>In these cases, the multi-site IEE avoids the unnecessary effort of preparing an IEE for each site. Instead, the IEE analyses the activities in a general way, and identifies mitigation and monitoring measures sufficient to prevent significant adverse impacts.</p> <p>Common situations in which multi-site IEEs might apply include programs of latrine or well construction or terracing. At the beginning of the program or project, not every specific site may have been identified, but overall characteristics are known. In these cases, the multi-site IEE would analyze all construction activities in the general environmental context. The analysis would identify mitigation measures sufficient to prevent significant adverse environmental effects. Mitigating measures might include training for local staff, and adoption of siting and construction guidelines to ensure the actions taken have no adverse environmental implications (e.g., water sources will not be diverted, soil will not be eroded, and protected species will not be endangered, etc.).</p>
Some activities not yet fully defined	IEE with deferral	<p>A <i>deferral</i> may be appropriate for an activity or major component when it is not yet fully defined, sufficient information is unavailable, or a decision to pursue an activity is not yet definite. This applies especially when you expect that at least some of the activities are not likely to be considered small-scale. The request for a deferral is made within the IEE (see §216.3(a)(7)). The IEE must be amended as soon as information about that activity becomes available.</p> <p>The deferred activity cannot proceed until the deferral in the IEE has been resolved. However, other activities addressed in the approved IEE and receiving negative determinations CAN proceed.</p> <p>An example of an IEE with deferral is included in Annex D.</p>

Situation	Type of IEE	Comment and Explanation
Multiple sets of dissimilar activities at one or more sites.	IEE with separate write-ups of sectoral activity	If the project or program includes several sets of dissimilar activities (e.g., natural resources management, road construction, and water resources works), it may be most efficient to address each sector in a separate analysis. Each analysis would follow the format and content of IEE sections 1-4, but would address <i>only</i> the sector in question. Elements common to multiple sectors (e.g., aspects of country and environmental information) can be cross-referenced rather than repeated.
Multiple activities not yet fully defined, but mostly small scale	Umbrella IEE	<p>The “umbrella” IEE may be applicable under the following conditions:</p> <ul style="list-style-type: none"> ▪ The proposal consists of multiple activities (i.e., one or more sets). ▪ The activities are generally expected to be small in scale. ▪ Some of the activities are not fully defined at the time of proposal. ▪ A post-IEE review process can be defined that will prevent any as yet undefined activities from having significant adverse environmental impacts. <p>Umbrella IEEs are commonly used for subgrant programs and proposals that contain activities to be identified by communities.</p> <p>An “umbrella” IEE assumes a negative determination with conditions. The conditions are the environmental review process that will be followed as the activities become more completely defined. This environmental review process varies with the nature of the activities. E.g., environmental review and screening for construction of many small dams differs from that for construction of wells. The “umbrella” IEE may also require application of “Best Practice” guidelines, and training of subgrant recipients in environmental review.</p> <p>The umbrella IEE process can be applied to all the sponsor’s program activities or to a portion of the program. [Note that a “classic” IEE may also incorporate an umbrella process for part of the program.]</p> <p>In principle, the advantages of the “umbrella” IEE are that (a) it provides for a post-IEE screening and review process for each activity as the information about the activities is developed; and (b) all or most activities can be approved in the field on the basis of local screening and review once the IEE, including a process of environmental screening and review, has been approved by the BEO.</p> <p><i>An alternative to the “umbrella” IEE is to prepare an IEE with a deferral of those activities for which insufficient information is available. This requires amendment of the IEE before funds are obligated or the deferred activities are implemented.</i></p> <p>More information about the “umbrella” IEE is contained in Annex G.</p>

4.3. Step 2: Assemble information resources

To understand the potential environmental impacts of a project or activity, certain information about the community and physical environment at the site(s) will be needed. Some of this information will already have been collected to develop the activity objectives, but additional data will be necessary to identify alternative means of accomplishing the objectives and to assess their impacts on the environment.

Note: You will not be able to acquire all possible sources of information for the IEE. Be selective and judge what you think is most useful.

Locate key environment and natural resources data.

Potential sources of existing information about the environment and natural resources relating to the project sites include:

- Host country counterpart agencies, such as the Ministry of Agriculture or Forestry, or local agricultural extension workers, universities, or training centers;
- Direct observation during a site visit and contact with counterparts, villagers, farmers, and residents;
- NGOs, universities, consultants, and technical experts;
- National-level documents, such as the country's National Environmental Action Plan (NEAP), Conservation Strategy for Sustainable Development (IUCN sponsored), National Report on Environment and Development prepared for the United Nations Conference on Environment and Development (UNCED) held in Rio in 1992, or Tropical Forestry Action Plan;
- The USAID Mission's Environmental Sector Assessment (sometimes referred to as an Environmental Threats Assessment) or Biodiversity Assessment (in place or likely in process);
- Geographic Information System (GIS)⁹ databases (consult Ministry of Environment or Natural Resources or equivalent); and
- FAO reports (The FAO has supported international soils and water resource inventories in many areas).

Box 4.B Assembling an IEE team

If you are not especially familiar with the implementation of activities and actual on-the-ground detail, you should consider assembling a multi-disciplinary team with the requisite knowledge and expertise.

⁹ Geographic Information Systems provide digitized computerized map data, often on subjects such as land use, drainage, climate, vegetation, or soils. Overlays and comparisons of these factors are possible.

Box 4.C **Basic elements of a participatory process**

- Work with organizations established in the local community.
- Participation must be facilitated. It won't just happen by calling a meeting.
- Be attentive to meeting times and suitability of places for women to attend.
- Provide gender training to the PVOs and NGOs who will be working at the local level.
- Work with entire families.
- Ensure that communication skills, discussion and methods of inclusion are appropriate for the community in which you are working

Do not neglect socio-economic and cultural information

To understand the context of your interventions, you need information on local culture, socio-economic conditions, and gender relations in the geographic area of your proposed activities. Without this understanding and the participation of the local population, your activities' sustainability will be questionable. Sources of such information include direct observation, local counterparts, farmers and villagers, and local NGOs. The information gathering process should include a local participation component. The participation of affected groups needs to be encouraged so that potential adverse impacts can be identified and mitigation strategies developed by those most knowledgeable about the local setting and existing environmental conditions.

By incorporating gender and other social variables in design and environmental analysis, development programs will be more effective and sustainable. Gender-disaggregated data should routinely be collected where appropriate. This information can be useful as baseline for monitoring and evaluation purposes.

For example:

- In the case of agricultural productivity projects, be sensitive to the fact that women and men have different relationships to specific resources, and these relationships affect resource access and use. Which farmers are responsible for what? Is it appropriate to ensure that all farmers receive training in the new technology? How will you choose the farmers? What risk minimization strategies do farmers employ? What impact might these strategies have on the environment, the introduction of new technologies, and mitigation strategies?
- For agricultural extension projects and demonstration of improved practices, determine through a participatory process whether those involved agree that the technology can be expected to work. What would be the anticipated drawbacks? Will they use the new techniques, if not, why not? Again, who selects the farmers and how?
- In providing agricultural credit, will all farmers benefit, or mainly those who own (or farm) the land? If it is in a region where credit is tied to ownership and women farmers cannot own land, can provisions be made to benefit them?

One should also aim to promote enforcement of environmental and health statutes or application of such statutes in areas with disadvantaged populations. **Environmental justice** concerns to be addressed include:

- inequities or disproportional adverse environmental impacts affecting low income populations or various disadvantaged groups (depending on the context: ethnic groups, indigenous populations, minorities and women);
- adverse effects on populations that depend on subsistence consumption of natural resources or those who have traditional

livelihoods, e.g., pastoralists who depend upon rangeland proposed for irrigation;

- population groups that face higher health risks because of exposure to environmental hazards created by nearby project activities; and
- segments of the population whose health is differentially affected by exposure to environmental hazards or changes in environmental baseline conditions, such as the very young or very old, pregnant women, etc..¹⁰

The importance of maps

Maps can be especially valuable in activity design and implementation, as well as in preparing the IEE. They also make it much easier for reviewers to understand the proposed activities and their environmental implications. They should be of sufficient scale to show roads and villages, targeted rivers and streams, and topographic features (e.g., 1:50,000 or 1:25,000 or better). Compare information about the setting with maps or plans of your activity to assess how the geographic area may be affected by your proposed action. Be careful when comparing maps of different scales.

Maps will help you visualize whether or how various resources or areas overlap with your area of intervention. Often you will not have a precise indication of overlap areas, but you will be able to see potential areas of conflict that need to be investigated further. Environmental information in map form can be developed and presented manually with transparent overlays. Computer-generated maps or Geographic Information Systems (GISs) can be used to present multiple features from a variety of sources. You may even wish to consider providing maps as attachments to your environmental documentation.

4.4. Step 3:

Conduct the Environmental Analysis (write sections 1–3 of the IEE narrative)

The first 3 sections of the IEE (1) describe the program or activity; (2) characterize the physical and social environments potentially affected by the program or activity, and (3) evaluate the potential impact of the proposed activities on these environments. Together, these sections constitute the basic environmental analysis portion of the IEE. The text below provides guidance for completing each of these sections.

¹⁰ Adapted from: US Executive Order 12898, February 1994.

IEE Section 1

contains:

- *background and rationale for the proposed activity*
 - *description of proposed activities*
 - *purpose and scope of the IEE*
-

In this manual:

Activities = desired accomplishment or output (e.g., a road, placing land under irrigation, etc.)

Activities consist of a number of components or actions, occurring over various phases of the activity (e.g., planning, construction, etc.)

IEE Section 1: Background and Activity/Program Description

In Section 1 of the IEE, you should provide the **background, rationale for and description** of current and/or proposed activities and the **purpose and scope of the IEE**.

- Use the background subsection (1.1) to discuss briefly how your activities fit into the Mission and/or the host country strategy or program or to highlight other contextual information that should be brought to the attention of an IEE reviewer.
- Under the activities subsection (1.2) describe the activity and its component actions. The organizational framework is up to you. Determine how you wish to organize and group activities in a logical or coherent fashion. If your project or program is organized as a Results Framework, you may find that method of organization most convenient. You may prefer some other logical grouping of activities, geographically or by sector.

In this subsection, also note if this is the first IEE being prepared for the proposed activity(ies), an amendment, or if certain activities are not being covered, e.g., they are expected to end in the near future, or are deferred.

What is the definition of an activity?

In this manual, “activity” refers to the desired accomplishment or output such as a road, seedling production, forestry planting, or river diversion to irrigate land. An activity is independent, although it may be linked to other activities. Accomplishing the activity will require certain actions, such as planning and design (site selection, choice of materials and equipment, etc.), construction (clearing, digging, filling, transporting materials or even establishing a construction workers’ camp). Other actions occur during operation or implementation (vehicular traffic patterns once a road is constructed, water management once irrigation infrastructure is in place). Most activities also need maintenance. Analysis of impacts requires that you know what all these actions are. These discrete actions, the inputs to accomplish the activity, do not, however, require separate Reg. 216 determinations. The activity as a whole is typically the subject of the Reg. 216 determination.

For each grouping (e.g., by type of intervention or Intermediate Result), try to provide information about the activities, including background and description of major components or discrete actions. You do not need to justify activities (this is covered in other parts of the project or program proposal). You do, however, need to provide some physical detail and be as quantitative as possible. For example, “about 500 farmers will be trained in irrigated agriculture for one week each, four farm-to-market roads will be built in such-and-such locations with respective lengths of a, b, c, and d kilometers with a construction period of approximately four months during the dry season, and estimated vehicular traffic of about 20 small trucks or vans and 10 autos per day. . .”

Consider actions over the entire activity lifecycle

All activities have a lifecycle, from (i) planning/design, to (ii) construction, through (iii) operation, and (iv) potential phase out or abandonment

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(decommissioning) of these components. The activity description in the IEE should cover all of these components and phase, and address the various locations involved. (For example, if you are building or rehabilitating a road, material from a distant quarry may be needed during the construction phase. Consider constructing a table that organizes the components of your activities by the four phases along the vertical axis, and by location (village, ward, district, nation, etc.) along the horizontal axis. Review the additional questions listed below to help you understand the activity and its components from the IEE point of view.) Table 4.3, below, sets out specific concerns and questions related to each phase of the lifecycle.

Table 4.3: Issues for consideration in the IEE across the project lifecycle

Activity phase	Questions and notes
Planning and design	<p>Planning and design work usually does not directly affect the environment or human behavior. However, sometimes it does, for example, site drilling or survey work can disturb threatened or endangered species. Associated land speculation can also lead to future adverse impacts. The proposed activity can prompt people to move to or away from the site in anticipation of the activity happening.</p> <p>Further, decisions made in the planning and design phase define in large measure the environmental impacts associated with future phases. It is thus important to ask whether there are siting alternatives, and the impacts that might be associated with each. What choices of materials and equipment will need to be made?</p>
Construction/Site preparation	<p>Is a construction camp needed? Where will the labor come from? Does an access or haul road need to be constructed? Is quarrying needed to obtain construction materials or is a borrow pit for earth fill needed? What other construction materials are needed (wood, bricks, etc.) and where will they come from? If earth or vegetation is removed, what will be done with it? What will happen to excess construction material or rubble? How will erosion be controlled? If new plantings are proposed will these be indigenous? Do utility pipes need to be laid? What social impacts may result during this phase?</p>
Operation	<p>What inputs are needed, including raw materials, water, or energy sources? Where will they come from? What products are created and where do they go (export, autoconsumption)? Are waste products created and how are they disposed of? Is traffic generated? What routine maintenance and repair activities are needed, and what inputs, (e.g., material, labor, transport) will this require? What social impacts may result during this phase?</p>
End-of-life	<p>If the activity were to cease (no longer needed or no longer funded) or its useful life were over (reservoirs silt up; mines become exhausted; roads, wells or latrines are abandoned; etc.), does it just disappear? What is left behind and what characteristics do the "leftovers" have?</p>

Key Questions to Consider in describing expected results, background and rationale.

You are not expected to answer the following questions *per se* in the IEE. Instead, they are provided to (1) help you identify all activities and actions which should be covered by the IEE, and (2) adequately describe background and rationale. These questions should also stimulate your thinking on potential impacts. (You will assess potential impacts in Section 3 of the IEE). Again, keep in mind the full activity lifecycle, as discussed above.

- **Why is the (proposed or current) activity needed, and are there alternatives?** Have the alternatives been evaluated? If so, the IEE

Consider these key questions when you articulate the rationale for the activity and describe its components and intended results

should indicate why the particular activity was chosen. If no alternatives have been considered, are there any, what are they, and should they be considered?

- **Why is the activity the best or most feasible?** Why is activity “x” the best or the most feasible way to accomplish the goal? For example, if increased income is the ultimate goal, why is small-scale irrigation (or aquaculture or micro-enterprise) the chosen activity? What other planned or potentially necessary activities are linked to the activity under consideration? The planned intervention may be necessary to accomplish the goal, but is it sufficient? For example, if vegetable production were to increase, is the road adequate to transport it to market?
- **Does the activity have a history?** Is there some important history to the activity? For example, fish farming may have been tried before, but failed. Perhaps the community being assisted was relocated because of another project, etc. What was its previous experience? Does the activity involve rehabilitation of a previous investment (e.g., terraces)? It may be important to know why rehabilitation is proposed. Was rehabilitation expected and planned for in the original design? Was the prior design incorrect or inappropriate? Was maintenance neglected or improperly carried out? If faulty design or lack of maintenance is provoking the rehabilitation, how will these problems be avoided in the proposed new activity?
- **What are the results?** Distinguish between the physical reality (a school or a well constructed) and the ultimate result (potable water or education).
- **What would happen if the no action alternative were chosen?** The answer is **not** that things would remain the same. For example, without the proposed activity, environmental deterioration might worsen over time. This scenario should be compared against the effects of the proposed activity. For example, a rehabilitated road with proper drainage may pose fewer long-run environmental impacts than a deteriorating road that is eroding away.

IEE Section 2 contains:

- *information regarding the environmental, social and economic conditions of locations affected by the activity*
 - *any applicable host country environmental regulation or procedures with which the activity must comply* ➤
-

IEE Section 2: Country and Environmental Information

In this section, you describe the environment (physical, biological, socio-economic and cultural) in which the proposed activities and interventions are expected to occur.

It is standard practice in most countries and in most documents that assess environmental impacts to consider people and the socio-economic and cultural characteristics of the affected environment.

Although USAID regulations define environment as the natural and physical environment, experience demonstrates that an IEE needs to consider the human factor. Some impacts may be beneficial for one segment of the population but adverse for others (e.g., women versus men or rich versus poor). Indigenous populations, different ethnic groups, and the economically

inactive portion of the population (the elderly and those not yet of working age) may either benefit from an activity or be adversely affected in different ways from other groups.

You will need to determine first how you want to organize this section. It may be appropriate to adopt the same organizational framework you used in IEE Section 1, presumably by sector, type of activity or Intermediate Result, and to describe the environmental situation appropriate to each. For example, suppose rural health activities occur in the same general area as road rehabilitation activities. In this case, you may want to describe the baseline situations for rural health and then refer back to this description for roads. In some cases, it may be easiest to use geography as the organizing framework.

Environmental baseline information.

In some cases, this may be similar or identical to information required for performance monitoring and evaluation. Similarities or differences between the environmental baseline and the baseline for measuring activity results will depend on the nature of the results expected and being tracked. Such baseline information, whatever the source or reason for collecting it, can be useful in determining long-term sustainability, in developing environmental mitigation and monitoring strategies, and for measuring whether mitigation is working. As noted earlier, people are part of the environment, and their interactions are often the key issue under consideration, especially for most Title II development activities.

Locations Affected and Trends.

Try to gain a picture of overall development issues and prospects for the area of concern. In so doing, you are trying to determine the future no-action alternative. This is not a static condition, but rather, the baseline situation projected into the future, and shaped by trends, growth, further degradation, improvement in water or air quality as regulations are developed and enforced, normal environmental change, etc.)

The impacts of your actions are measured not against the existing situation but by using the yardstick of the future—the future context in which the actions will occur. If no clear trends exist, you may have to consider the existing situation to be the best approximation you have of the future. For example, if you are building a road through a forested area that has already been targeted for cutting and for development in the next four years, how much does it matter that the road will result in loss of vegetation? Can you estimate the population of the area 25 years from now? Fifty years? What would be the potential impact of the projected changes on the natural resource base? Box 4.D poses a number of questions which focus attention on this wider context? i.e., *what else is happening (or is likely to happen) in the activity locations* that will shape the future baseline?

Look at Box 4.E, which describes Major Categories in a Baseline Study, to determine what features you should describe or about which you should acquire data. Determine key characteristics and key data needs. You construct the description of the environment pertinent to your activities as you see fit.

Environmental Policies and Procedures

Describe briefly the host country's environmental impact assessment policy,

Box 4.D Factors and actions outside your activity which may impact the future environmental baseline.

Are roads being built or rehabilitated by others?

Are there other projects operating or about to start-up?

Has this area been identified as a growth area?

Are there plans for power development or extension of electricity?

Are there resources (e.g., mineral or biological) that will likely be exploited (mined, extracted) in the foreseeable future?

legislation, or procedures and whether the host country will require environmental documentation. Note any applicable policies or regulations for protected areas, wetlands, historic or archaeological sites, siting or construction of facilities, wells, dams, or water diversions.

Remember to **reference** your sources of information. For example, Kenya has procedures and standards for siting wells. Thus, for a program for well development in Kenya, the USAID Partner may need to elaborate in Section 2.2 of the IEE on the nature of the procedures specific to the siting of wells. Policies and procedures are likely to vary by sector, i.e., irrigation, roads, wells, or the like, and each is affected by the sector-specific policies, procedures or regulations from lead government units, e.g., a Ministry of Agriculture or Ministry of Water Resources, etc.

Box 4.E

Major elements of the environment characterized in baseline studies

(select and focus as appropriate to your activities)

Geology—geological provinces, bedrock formations, history of geological stability or instability.

Topography—general topography of region, specific topography of project area.

Soils—soils mapping, soil series properties, constraints to development.

Groundwater Resources—nature of water-bearing formations, recharge rates, sustainable safe yields, locations and depths of existing wells, quality.

Surface Water Resources—drainage basins and sub-basins, named and unnamed water bodies and watercourses, regulatory classification of water bodies, flow regimes, water quality data and evaluation, identification of existing permitted discharges to surface waters, long-term historical precipitation data or characteristics.

Terrestrial Communities—spatial arrangement of vegetative community types, vegetative species-abundance listings, wildlife species-abundance listings, records of threatened and endangered plant and animal species.

Aquatic Communities—nature of aquatic habitats, species-abundance listings for aquatic macro-invertebrate and fish communities, ecological indexing of community data.

Environmentally Sensitive Areas—identification of wetlands, floodplains, sensitive coastal, riparian or desert ecosystems, steep slopes, stands of mature vegetation, aquifer recharge areas, areas of high water table, areas of rock outcrop, prime agricultural lands, and mines. Identification of existing protected areas (e.g., national parks and forests).

Air Quality—regional quality and trends, data from local monitoring stations, reported exceedances of standards.

Sound Levels—existing sound levels, sources of sound.

Land Use—existing patterns of land use in region, regional planning for future use, zoning.

Demography—censused or estimated population, recent trends and projections for future population.

Socioeconomics—economic and social structure of communities, tax rates, characteristic types of development.

Infrastructure Services—nature and status of human services such as police and fire protection, hospitals, schools, utilities, sewage, water supply, solid waste disposal.

Transportation—layout and function of existing roadways, railways, airports; existing and projected capacities and demands.

Cultural Resources—location and characterization of identified cultural resources (archaeological, paleontological, historical, cultural, landmark), potential for unidentified resources to be present in project area.

General Guidelines:

- You are not writing an environmental encyclopedia! Provide only baseline information needed to assess the potential environmental effects of your proposed activities.
- Be guided by national environmental policy or Environmental Action Plan(s) and by the special or unusual characteristics of the locations affected. For example, in one country, genetic diversity and maintenance of indigenous crop varieties may be important; in another, preventing land degradation or soil erosion may have special value.
- Consider what is ecologically or culturally unique, unusual, or sensitive. Consider what regulations or laws might apply. For example, are there special prohibitions on building in or filling wetlands?
- Obtain some information about all the locations associated with each activity and its related actions, as noted in IEE Section 1 above. For example, if a project or activity requires an access road or a utility line to a site or a borrow pit, relocation of families to another place, off-site disposal of waste, etc., it may be appropriate to describe all locations that will be affected by the proposed activities.

“You are not writing an environmental encyclopedia”

Provide only useful and relevant information.

**IEE Section 3:
Evaluation of Activity/Program Issues with Respect to Environmental Impact Potential**

Identifying potential impacts requires application of **science** and **experienced judgment**. Although scientific methods should be used whenever possible, there are often limitations due to inadequate data, complex relationships, and limited time and resources. Therefore, seeking the input of knowledgeable local experts and applying informed judgment are essential; where these are lacking, simple analysis and logical reasoning are useful.

You are advised to adopt the same organizational framework for IEE Section 3 you used for IEE Section 1, so that reviewers can easily refer back to the activity descriptions.

Construct List of Potential Impacts

You may wish to use one or more simple *checklists* to help you identify potential environmental impacts. Sample checklists are found in Annex E. No checklist is perfect. Each is meant to help stimulate good thinking and planning about your activities. You are encouraged to create your own for the specific activity or program under review. Checklists offer the advantage of simplicity in gathering and classifying information necessary for assessing environmental impacts. The technique is a structured way of help you begin to organize information, identify potential environmental impacts, think about possible mitigation options, and make tentative conclusions on the extent of environmental impacts.

IEE Section 3 describes the impacts for each activity, using the same organizational framework you adopted for IEE Section 1

If an activity has no potential impact, or a component may be a categorical exclusion, briefly note this.

Table 4.4: Example of a project impact (or Leopold) matrix for a roads project

Environmental Components:	Physical environment										Biological environment							Social environment										
	Agricultural lands	Soil erosion	Slope stability	Energy/mineral resources	Surface water quantity	Surface water quality	Ground water quantity	Ground water quality	Air quality	Noise	Aquatic eco-systems	Wetland eco-systems	Terrestrial eco-systems	Endangered species	Migratory species	Beneficial plants	Beneficial animals	pest plants	pest animals	disease vectors	public health	resources/land-use	distribution systems	employment	at-risk population	migrant populations	community stability	cultural/religious values
Project Components																												
I. Project Planning & design																												
Obtain geo-mechanical investigations																												
Obtain groundwater investigations																												
Design basic road route																												
Determine excavated road materials locations (where?)																												
Determine borrow pits quarries – where?																												
Planning of disposal site locations																												
Planning of drainage systems																												
Land surveying																												
II. Construction																												
Clearing of top soil																												
Disposal of removed vegetation																												
Excavation of embankments																												
Rock blasting																												
Road camp management																												
Putting down base material																												
Mining, crushing, and transport																												
Construction of concrete drainage systems																												
Construction of erosion control structures																												
Asphalt works: production, transport, filling																												
Land survey																												
Bridge construction																												
III. Operation & Maintenance																												
Preventive soil erosion measures: planting grass and shrubs																												
Winter maintenance activity: salt and snow application																												
Maintenance of drainage systems																												
Fence maintenance																												
Road patching																												
Maintenance of road signage																												
Pay toll facilities&management																												
Commercial facilities impact																												
IV. Decommissioning																												
Old road sections																												
Reclamation of quarries and excess material landfills																												
Abandonment of excavated road material																												
Abandonment of old asphalt and concrete materials																												

The matrix should be filled in with symbols which indicate (1) the size or extent of any impact, AND (2) whether it is adverse or beneficial. Example:

Adverse impacts		Beneficial impacts
∩	Negligible or non-existent	●
∩	Moderate	●
∩	Large	●

A “**Project Impact Matrix**” (also called a Leopold Matrix, Table 4.4) is *highly recommended* as a means of organizing your thoughts. Typically such a matrix has the various environmental components affected by the activity listed across the top. For each of these environmental components (physical, biological, socio-cultural, economic), you indicate if some input action during planning and design, construction, operation, and cessation of useful life could affect one of the environmental components. (see Annex E for an example of a completed matrix)

Once you have organized your activities by phase (planning, construction, operation, end of useful life) and bearing in mind the characteristics of the environment you noted in IEE Section 2, determine how each activity might affect some environmental component, e.g., aquatic ecology, soils, topography, water quality, flora and fauna, etc. You will need to focus on issues of importance. It is not always easy, even given the right data, to appreciate the various and often subtle ways in which certain project activities can affect the environment.

Identify and Consider the Implications of Classes of Impacts

Using the information you developed and the description of the affected environment, determine what types or classes of impacts may apply, as defined below.

- Determine direct impacts first, e.g., clearing land means loss of vegetation. A new or improved road means new or additional traffic.
- Consider the *implications of each direct impact to arrive at indirect or induced development impacts*. Indirect impacts are caused by the action, but two, three or four steps down the line from direct impacts, occurring later, or in different locations. (See box 4.F.)

Use the literature available to see how you might link direct impacts to secondary, tertiary impacts, etc. For example, does development of a site mean that more people are attracted to an area, resulting in population growth, or will the clearing be so extensive or in such a sensitive zone that an important habitat will be destroyed.

- Distinguish between short-term or temporary, and long-term impacts. Although construction-related impacts are often short-lived, some impacts may occur during construction that are long-term with permanent implications, e.g., construction activities that alter the hydrology of a wetland.
- Distinguish beneficial impacts from adverse impacts, recognizing that where human groupings are concerned, impacts beneficial to one group may be adverse to another.
- Consider the *potential for cumulative impacts*. These are impacts that result when the impacts of your actions are added to the existing situation or to the effects of other reasonably foreseeable activities likely to take place *regionally or over time*. For example, cumulative impacts can result from individually minor but collectively significant actions, e.g., continuing forest clearing for agriculture, or the addition of another access road. This is

Impact matrices are highly recommended.

**Box 4.F
Indirect impacts: the example of a dam**

Consider the following example of a chain of impacts associated with a dam:

The dam could result in reduced water flow downstream

Decreased water flow results in increased aquatic vegetation growth,

Denser aquatic vegetation tends to support denser populations of aquatic snails (some of which are vectors of schistosomiasis)

Higher population of disease vectors results in the potential for increased incidence of this disease by water users.

Thus, in this example, the indirect health impacts of the dam clearly need to be taken into account.

The vegetation growth can be called a secondary impact, the growth of snails a tertiary impact, etc.

particularly the case in countries with severe population pressures on land, water and energy resources. The activities you are proposing may be only one of many being carried out, or likely to be undertaken in the area by a variety of organizations or agents with varying objectives and sources of support. Promoting area-wide environmental management plans and environmental analyses can be very important in mitigating adverse cumulative effects. You probably will not be able to mitigate the effects of activities for which you are not responsible. Nevertheless, where feasible, you should try to **coordinate your activities** with others, help others to recognize potential impacts of their activities, or play a role in fostering an environmentally sound overall development plan.

To write Section 3:

1. List potential impacts
 2. Systematically consider the list by class/type of impact
 3. Predict the impacts
 4. Judge their significance
-

- Consider what you said about the future context of the activities, i.e., the future no action alternative. **Compare** the expected impacts to that, not just the current baseline situation.

Predict and Characterize Potential Impacts

Identify the nature of the changes in environmental conditions that are caused by the proposed action. Doing so requires an understanding of *cause-and-effect relationships*. Environmental impacts will have a number of distinct, but linked, characteristics, which should be considered to give an overall picture of the anticipated changes due to the project. Use the list in Box 4.G to help predict the nature of the identified impacts. In using the list of impact descriptors, consider especially effects on human groups. Also consider gender equity. Who is affected by the magnitude, direction, extent, duration, or frequency of impacts? Try to make your impact indicators as quantitative as possible. Define your terms for the reviewer and try to avoid words like minor, moderate, major, etc.

It is a good idea at this point to again compare the impacts of the proposed action with the no-action alternative¹¹ and any other alternatives to the proposed action. If the proposed action seems to have the biggest set of adverse impacts, *consider these additional alternatives*. Consider reducing the size of the activity, changing its site or substituting another type of activity that could achieve a similar objective. Note: Consider again whether there are alternatives that have less impact, including possible sets of mitigation measures for each alternative. (See IEE Section 4 for more ideas.)

Judge the Significance of Impacts

Significance of a predicted impact depends on its *context* and *intensity*.

- **Context** varies with the setting. For example, the loss of one hectare of park in an urban setting may be more significant than the same quantitative loss in a more rural setting, unless that hectare is habitat for an endangered species (or belongs to you!). A new or rehabilitated road in an urban area could be far less significant than the same road in a remote or wilderness setting.

¹⁶ It is important to stress the role of the no-action alternative because it serves as a baseline against which other alternatives can be measured. When the environmental consequences of the action alternatives are weighed against their projected benefits, the no-action alternative can sometimes be the best one.

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- **Intensity** depends on the degree to which an action:

-
- | | |
|---|--|
| ▪ affects public health or safety | ▪ is highly uncertain or involves unique or unknown risks |
| ▪ affects unique characteristics of an area (culturally, archeologically or historically important resources, parklands, prime farmlands, wetlands, wild and scenic rivers, ecologically critical areas, etc. | ▪ establishes a precedent |
| ▪ is likely to be highly controversial | ▪ adversely affects nationally defined historic places |
| | ▪ adversely affects endangered or threatened species or habitat and the like; or |
| | ▪ is irreversible |
-

Thus, determining “significance” involves a judgment, tempered not only by applicable national or international laws protecting the environment, but also by societal perceptions of importance. One way to judge significance is by considering the specific USAID or host country regulations, international conventions, or policies that say “x” is significant, or where standards exist that are not to be contravened. (For more detail, see 5.4.4 How do I determine whether the scale or magnitude of my activities may result in significant effects?)

Box 4.G: Characteristics of environmental impacts

Typical *descriptors* used in identifying environmental impacts include:

Magnitude: the absolute or relative change in the size or value of an environmental feature. Uncertainty is likely in forecasting the magnitude of change, and some upper and lower estimates may need to be given.

Direction: the impact will represent a beneficial or adverse change. It is therefore important to know the direction of the impact as the beneficial impacts are welcome. It is the adverse impacts which are cause for most concern.

Extent: the area affected by the impact? e.g., in hectares of productive agricultural land or kilometers of river. A distinction here between on-site and off-site impacts is often useful.

Duration: the time period over which the impact will be felt. Some impacts may be very short term (i.e., during construction), some may occur over a number of years, and some may be permanent. It is often desirable to specify duration in terms of short-term (i.e., 1 year or less), medium-term (i.e., 1 to 10 years), and long-term (i.e., more than 10 years).

Frequency: refers to the *return period* for impacts which will recur over and over again—e.g., seasonal water quality problems. Return period can often be specified by interval—e.g., annually or less, 1 to 10 years, 10 to 100 years.

Reversibility: refers to the permanence of the impact. Several distinctions are possible here. Impacts may be reversible by natural means at natural rates, or be reversible by various forms of human intervention at reasonable costs, or be, for all practical purposes, irreversible. Irreversible impacts are likely to be more severe as this assumes permanent damage to the environment.

Likelihood of Occurrence: refers to the possibility of a particular impact occurring as forecast. Here, an estimate is made about how certain the impact prediction is, given the limitations of environmental science. Again, establishing categories of analysis such as "definite," "probable" and "possible" may come in useful if they are well-defined.

(adapted from Takawira, 1995)

4.5. Step 4: Consider recommended threshold decisions

After writing the basic environmental analysis, you must consider the threshold decision(s) the IEE will recommend. Again, the IEE recommends a threshold decision for EACH activity it covers. Each recommendation MUST be supported by the analysis presented in the IEE, as detailed below:

- A **negative determination without conditions** indicates that the activity is routine and is expected to have no significant effect on the environment. (As discussed above, significance is a matter of judgment, based on context and the intensity of an action) If a negative determination without conditions is recommended, section 3 (evaluation of potential environmental impacts) must clearly reflect the low-impact nature of the activity.
- A **negative determination with conditions** indicates that, with appropriate mitigation and monitoring, the proposed activity will produce no significant harm to the environment. Mitigation and monitoring might produce this result in one of two ways:
 1. any adverse impacts that occur will be mitigated
 2. monitoring will identify adverse impacts before they become significant, and project implementation will be adjusted to prevent significant harm from occurring.

Absent those mitigation and monitoring conditions, the implication is that a positive determination would result. If there is any confusion or doubt about whether to include conditions, the prudent decision is to select a “negative determination with conditions,” then specify good environmental practices and mitigation or monitoring of impacts (see Box 4.I).

- A **positive determination** indicates that the activity has the potential for creating significant, adverse effects on the environment. A positive determination means that an IEE alone is not sufficient to assess and address the environmental concerns raised by the proposed activity, and an EA or PEA is required. The affected activity cannot proceed until the EA is completed and approved, although normally the other activities in the project or program may proceed once the IEE is approved.

Box 4.H EA versus PEA

If the activity is one of a kind, then a project-specific EA is suitable. If there are many similar activities either within a particular program, or where several USAID Partners have similar activities, a PEA might be more applicable. Additional information on PEA preparation is provided in Annex C. If the activity directly affects the U.S., the global environment, or areas outside the jurisdiction of a country, an EIS (Environmental Impact Statement) will be required.

Box 4.1

Examples of Environmental Determinations

Example 1: Health post construction.

If as part of a health activity, you were building a small health post or some other facility where health care and information were provided, your analysis would need to show that building and operating this facility posed no special environmental problems (e.g., no wetlands filled, no habitat for endangered species affected, no unusual erosion or flooding conditions, etc.), and that the health post could be built using standard engineering and construction practices. Assuming this were the case, the health post would qualify for a **negative determination without conditions**.

If, however, the health post's construction had some unusual siting conditions and the site could not be changed to avoid these conditions (e.g., unusual need for slope or soil stabilization, specialized erosion control, or need to divert a drainage course), then a **negative determination with conditions** would apply. If this health post were to be testing blood, using syringes, creating biohazardous waste, etc., then a **negative determination with conditions** would also apply. The conditions would specify how the adverse effects would be minimized or otherwise mitigated (e.g., how biohazardous wastes would be safely disposed of), so as to avoid environmental harm or risks to human health.

Example 2: Well construction.

If wells were to be developed, and they were shallow wells in an area with a sufficient aquifer and standard "good practices" for digging wells were to be followed, a simple **negative determination** would suffice. The IEE would affirm that cumulative impacts on the environment should not be a concern, that "best practices" are expected to suffice as mitigation measures, and would identify any other appropriate measures that have been incorporated in the design.

If there were unusual conditions, such as the need to use major construction equipment to bore hundreds of feet into the ground, questions about the sufficiency of the aquifer or a potential for saline intrusion, then a **negative determination with conditions** related to construction methods, water extraction rates or monitoring would likely apply.

Example 3: Potentially high-risk activity

Consider an activity on the list that might trigger an EA (e.g., application of general-use pesticides, or construction of dams of 50,000 cubic meters capacity).

- If the scale and magnitude of potentially adverse impacts could be avoided or sufficiently minimized through design, or mitigation and monitoring measures, then the IEE would likely request a negative determination with conditions.
- However, if the IEE indicates that significant impacts are still likely even with best practice design, mitigation and monitoring, then a positive determination is necessary.

Example 4: "Umbrella IEE"

If an "umbrella" IEE is used (Annex G), the determination is by definition a **negative determination with conditions**, the conditions being the subsequent environmental screening and review appropriate to the development programs involved. Also normally included in the "umbrella" IEE language would be a requirement for demonstrated capacity in sound design, environmental review, mitigation and monitoring and "best practices." This requirement may be addressed in part through required training for USAID partners, and incorporation of specific language in Partner Subgrant or contract agreements.

See Chapter 2 for examples of applicable **categorical exclusions** and high-risk activities likely to result in **positive determinations**.

Positive determinations should be made in consultation with the relevant USAID environmental officers.

A positive determination automatically requires preparation of an EA. This implies a substantial commitment of resources and time (often ranging from six months to more than a person-year). Thus, a positive determination should be made in consultation with the relevant USAID Environmental Officers, who need sufficient information from the USAID Partner in making this decision. In the case of a positive determination, the IEE should clearly support this conclusion.

- A **deferral** indicates that no threshold decision can yet be reached, because of insufficient information.

Box 4.I provides short examples of types of decisions reached. In Annex D, you will find examples of approved IEEs. These illustrate how determinations are made in practice.

4.6. Step 5: Settle on recommended threshold decisions and mitigation and monitoring (write section 4 of the IEE narrative);

At this point, you have reviewed the first three sections of the IEE narrative, and carefully considered the threshold decision(s) you will recommend to USAID. Now you must write these recommended threshold decisions into the IEE, document any applicable categorical exclusions you identified during screening, and document the mitigation and monitoring measures you are committing to.

Complete the summary table

Your first step should be to complete the summary table you started in Chapter 2 (Table 2.1). In the final column of the table (**Recommended IEE Threshold Decision**), indicate the threshold decision you are recommending for each activity covered by the IEE. This will help you to organize your writing.

The summary table will be inserted at the end of section 4.

Organize “recommended determinations” in the same way as sections 1 and 3.

IEE Section 4.1: Recommended Determinations (Threshold Decisions & Categorical Exclusions)

Organize this section to correspond with the organizational format chosen for IEE Sections 1 and 3.

In this Section, you should set out your recommended threshold decision for *each* activity whose screening result was “IEE required.” (Again, the only possibilities are a positive determination, negative determination, negative determination with conditions, and deferral.) Review the specific language

in Reg. 216 for negative determination(s) §216.3(a)(2)(iii) and for deferrals §216.3(a)(1)(iii)

- IF your screening identified some categorical exclusions, you must document them in this section. You should **provide the specific Reg. 216 language and citation** to justify these exclusions.
- IF you one or more of your recommended threshold decisions is a “negative determination with conditions,” you should note briefly what mitigation and monitoring measures are considered “conditions.” You will be able to expand on these in IEE Section 4.2

If screening identified some activities as CATEGORICAL EXCLUSIONS, these are also documented in IEE Section 4.1

IEE Section 4.2

Mitigation, Monitoring, and Evaluation.

The generic outline for the IEE indicates Mitigation, Monitoring, and Evaluation as one section. You can discuss the three topics together by activity under Section 4.2 or you can organize separate sections for each. In this discussion, only Mitigation and Monitoring (related to the IEE specifically) are treated. This assumes that the evaluation of overall effectiveness of mitigation and monitoring will be dealt with as part of your overall project performance monitoring and evaluation (M&E) framework.

The process of environmentally sound project development does not stop when project or program environmental effects have been identified or decisions have been reached. An environmental mitigation and monitoring plan (often referred to as an *Environmental Management Plan*) is part of the environmental documentation process and should be included in or annexed to the Reg. 216 documentation.

Identify Mitigation Options.

Mitigation is the purposeful implementation of decisions or activities that are designed to reduce the undesirable impacts of a proposed action on the affected environment. Mitigation is a general concept that may include the following list of categories:

- *Avoiding* impacts altogether by not taking a particular action.
- *Minimizing* impacts by limiting the degree or magnitude of the action and its implementation.
- *Rectifying* impacts by repairing, rehabilitating, or restoring particular features of the affected environment.
- *Reducing or eliminating* impacts over time by performing maintenance and preservation activities over the life of the action.
- *Compensating* for impacts by replacing or providing substitute resources or environments that are, or might be, affected by the action. (Compensation might include, for example, enhancing the ecological value of another wetland or protected area, if you have

destroyed one. Or it might be the provision of replacement housing and land for relocated people. Generally, it is easier to provide compensation to people than it is to provide replacements or compensation for the biophysical environment.) Note that providing compensation requires some estimate of the level of compensation provided. This in turn requires a methodology for *valuing* the environmental damage caused by the proposed activity.

- *Monitoring impacts* of an activity can be considered a form of mitigation when decisions contain uncertainty and monitoring becomes a form of agreement among affected stakeholders, to be used to help define a shared strategy for addressing future problems as they are identified.

Note that the mitigation categories above are arranged according to desirability. In other words, avoiding impacts is preferable to rectifying impacts or providing compensation for them.

Elements of an environmental mitigation plan or management plan are summarized in Box 4.J.

Key issues to consider in developing your mitigation strategies

The most important issues to consider in developing a mitigation strategy center around cost and accountability:

- How costly are the mitigation measures relative to project cost? If they are more than ten percent of the cost, perhaps you should recommend redesign.
- What co-benefits, if any, are likely to result from the mitigation measures?
- Who will be responsible for design, implementation, and monitoring of the effectiveness of your proposed mitigation measures?

It is very important to incorporate any mitigation and monitoring measures in bids or tenders, if contracts for construction are needed as part of an activity. These could be construction-related mitigation measures (such as reducing soil erosion, protecting vegetation during construction, restoring a landscape, or ensuring sound environmental practices in a construction camp). They may include mitigation measures needed during operation (e.g., the methods employed to prevent contamination of water supplies in water and sanitation projects, or the disposal of medical wastes in health facilities.) They may also extend to measures that will need to be taken at the end of a project's useful life, or when infrastructure is finally abandoned or replaced, e.g., closure of old roads, quarries, wells, latrines, mines, etc.

In preparing your environmental documentation, you may not have the time or resources to assess or develop mitigation and monitoring measures for all potentially adverse impacts. Your Project Impact (Leopold) Matrix (Table 4.4) can be used to help identify those impacts most in need of mitigation and others which may be considered only as time and additional resources allow. (See Annex E for examples.) For instance, in a rural road project, impacts from water related erosion may require far more mitigation attention than the potential adverse impact from road traffic hydrocarbon emissions.

When designing mitigation measures:

Plan for the cost and build into the budget. If too expensive, consider redesign

Identify who is responsible for each aspect of mitigation.

Box 4.J

Environmental Mitigation or Environmental Management Plan

A mitigation or environmental management plan consists of the set of measures to be taken during implementation and operation to eliminate, offset, or reduce adverse environmental impacts to acceptable levels. Also included in the plan are the actions needed to implement them, including monitoring. During the preparation of a mitigation plan, one should (a) identify the set of responses to potentially adverse impacts; (b) determine requirements for ensuring that those responses are made effectively and in a timely manner; and (c) describe the means for meeting those requirements.

A mitigation or management plan should include the following items:

- (a) identification and summary of all the significant adverse environmental impacts that are anticipated;
- (b) description and technical details for each mitigation measure, including the type of impact to which it relates and the conditions under which mitigation may be required (e.g., continuously or in the event of contingencies), together with designs, equipment descriptions, and operating procedures, as appropriate;
- (c) institutional arrangements—the assignment of specific responsibilities for carrying out the mitigatory measures (e.g., responsibilities which involve operation, supervision, enforcement, monitoring of implementation, remedial action, financing, reporting, and staff training);
- (d) implementation schedule for measures that must be carried out as part of the project, showing phasing and coordination with overall project implementation plans;
- (e) monitoring and reporting procedures to (i) ensure early detection of conditions that necessitate particular mitigation measures, and (ii) provide information on the progress and results of mitigation; and
- (f) integration into the activities' cost estimates and sources of funds for both the initial investment and the recurring expenses for implementing the mitigation plan.

To strengthen environmental management capability for implementation, most mitigation plans cover one or more of the additional topics identified below:

- (a) technical assistance programs;
- (b) staff development;
- (c) procurement of equipment and supplies, and;
- (d) organizational changes.

Specific links should exist for (a) funding, (b) management and training (strengthening local capabilities), and (c) monitoring. The purpose of the first link is to ensure that the proposed actions are adequately financed. The second link helps embed in the overall management plan the training, technical assistance, staffing, and other institutional strengthening needed to implement the mitigation measures. The third link is necessary to provide a critical path for implementation, to enable evaluation of the success of mitigation, and to serve as a means for improving future projects.

(Adapted from World Bank Environmental Assessment Sourcebook Electronic Copy (1991), by using keyword 'mitigation'.)

Identify Monitoring Needs

In addition to monitoring of key mitigation measures to determine whether they are achieving the intended result, there may be potential environmental impacts you are unsure of, or for which mitigation may or may not be necessary. These potential impacts are also candidates for monitoring. Certain mitigative measures may require periodic maintenance. These too are candidates for monitoring. Box 4.K describes basic elements of a monitoring plan.

Because monitoring can be a costly undertaking, consider:

- Is the monitoring needed?
- Will comparisons be made to the baseline situation, a control site/situation, or both?
- How often will the indicators be monitored?
- Who specifically will be responsible for the monitoring? What kind of expertise may they need?
- What will be the approximate cost (including person-days per month or year, if you can estimate that) for measuring each indicator? Can the mitigation and monitoring budget be sustained long enough to provide useful data?
- Can the indicators of mitigation effectiveness be derived from data already being collected? Could the data collected contribute to regional, national, or other monitoring efforts?
- Can the stakeholders benefiting from the activity be involved in or trained to perform any of the monitoring?
- How will the results be used and with whom will results be shared, either for information purposes or because action needs to be taken?
- How will this monitoring be incorporated into your overall monitoring plan or program?

Note:

for BDCHR activities, updates on mitigation and monitoring are to be included in the annual Environmental Status Report (see Chapter 3.2.)

Note that sample mitigation and monitoring tables are presented in Annex E.

What environmental factors and indicators are to be monitored?

Indicators used for monitoring need to be clearly identified and described during activity and monitoring plan design. The monitoring plan identifies and describes the environmental and natural resources parameters to monitor, such as pH, salinity, productivity, etc. It also identifies indicators or “proxies” to use to measure or estimate changes (presence of plants in a specific environment, plants with different tolerances to changes in soil fertility, exotic species, etc.). The selection of parameters to be monitored, as well as associated indicators, depend on the type of activities, and the impact of those activities on the environment, and the mitigation measures employed. If environmental monitoring specialists are not on staff, consider obtaining short-term technical assistance and use an interdisciplinary team approach.

The environmental mitigation and monitoring plan (or Environmental Management Plan) may be applied most effectively where it is directly linked to the Annual Workplan for a project or program and to annual budget planning processes.

Box 4.K

Designing an Environmental Monitoring Plan

Environmental monitoring plans differ depending on the severity of impacts on the environment, and on the kinds of environmental factors that need to be monitored. Plans should state clearly *how, by whom, and at what cost in human and financial resources* monitoring will be accomplished.

Monitoring components should describe how:

- (i) monitoring will be accomplished to determine if mitigation is meeting expectations; and
- (ii) other monitoring will be provided to serve as “caution lights” to inform activity implementers and communities of changes that may require additional mitigation (ideally an effort should be made to select indicators that measure both beneficial and adverse effects).

Effective monitoring plan development and implementation requires a participatory approach, especially in development settings where constraints on financial and technical resources may require innovative approaches to monitoring involving local communities, farmers, pastoralists, etc. Local involvement in monitoring can reduce overall mitigation and monitoring costs and create greater ownership and responsibility for Environmental Management Plans. The results of the monitoring should be provided to the USAID MEO and in some cases might warrant reporting to the host country institution in charge of the environment, e.g., if the monitoring were to detect overall patterns of degradation that warranted area-wide action or policy solution.

For more information on environmental mitigation and monitoring see USAID’s *Topic Briefing: An Introduction to EIA* (available for download at www.encapafrica.org). Also of particular interest are the mitigation and monitoring tables contained in the *World Bank’s Environmental Assessment Source Book - Volume II Sectoral Guidelines* (1991). Also explore the IAIA website home page at www.iaia.org.

Potential water supplies should be tested BEFORE water development programs are initiated

Testing should include arsenic

The special case of water quality monitoring

Testing and monitoring for water quality has become an issue of increasing importance to USAID and USAID Partners. USAID and other donors, including the World Health Organization, are concerned about the frequent occurrence of health-threatening contaminants in rural and urban public water supplies. These contaminants include heavy metals like arsenic, as well as coliform bacteria, nitrates and nitrites. (See Box 4.L.)

Prior to initiating water development programs, USAID Partners should assess water quality, and take results into account in the design of water development activities. Monitoring also should be done to ensure future quality is maintained. A 1998 USAID official cable (98 STATE 108651) on testing potable water provides “supplemental guidance for conducting USAID’s 22 CFR 216 Initial Environmental Examinations (IEE) and Environmental Assessments (EA) when funding activities involving drinking water.” Reference to this cable is made in Box 4.L.)

This guidance is under development as research continues on arsenic field evaluation and mitigation. You should consider the following questions:

- What should be tested? Where? The answers depend on factors that include, but are not limited to, the hydrogeological conditions of the area, nature of surface and groundwater flow patterns and quantities, or proximity to potential sources of contamination (sometimes many miles from the proposed water development activity).
- How frequently will testing need to be done? Is seasonal testing important?
- Will sample surveys suffice? Does every well need to be tested for everything? For example, if wells are all part of one uniform aquifer, in uniform geological formations, would one-shot sampling be sufficient? If the hydrogeology is known to vary, or if it is largely unknown, what should the approach be?
- How will testing be done? Who will do it? How much will it cost? Again these answers are shaped by hydrogeological conditions and proximity to known or potential contamination sources, but they are also determined by the context of geography and available human and financial resources. For example, what are the cost and labor advantages of conducting tests and analyzing samples in the field versus sending samples to laboratories? What are the advantages/disadvantages of kits versus lab work, taking into account factors such as reliability, ease and cost of transport, length of time required to receive and apply analysis results, etc.
- Whose water quality standards should be used? The World Health Organization’s? The host country’s? The U.S. Environmental Protection Agency’s? Other?
- If testing reveals water quality is lower than agreed upon standards, what mitigative measures are available?

The preceding questions may be relatively easy to answer, or quite difficult. Answers must typically be developed on a case-by-case basis. There is no

one “requirement” for water quality testing—it’s a matter of appropriateness. Do what makes sense based on local expertise and realism. Sampling about a half-dozen key parameters at the outset, and twice a year, or more often if called for, may in fact be a significant improvement over past practice and a major step in helping to improve the health and well-being of rural and urban populations. Remember to consult members of the community on their perceived problems with water quality and how they think they might best be solved.

More information and resources on water supply issues are contained in USAID’s *Environmental Guidelines for Small-Scale Activities in Africa* (available for download at www.encapafrika.org). Seek advice, when appropriate, from your MEO, REO (if one exists in your region), or your geographic or BDCHA BEO.

Box 4.L

Arsenic Testing in Potable Water

Recent concern over arsenic was sparked by a situation in Southern Bangladesh and West Bengal, India, where very large rural populations have been exposed to elevated levels of arsenic from wells drilled over the last forty years, leading to increased incidences of poisoning. Naturally occurring high levels of arsenic in groundwater have also been identified in Mexico, Romania and several other countries. These occurrences are not associated with mining or industrial sources or with any particular geologic formation, so they were difficult to predict. Initial thinking is that these situations may be more likely to occur in areas with thick sediments such as deltas or deserts, or areas with current or former geothermal activity, but there is no reliable prediction model yet.

In general, USAID no longer undertakes large-scale well-drilling programs. Nevertheless, in those cases where USAID does fund potable water supply (either via construction of a new system or via restoring old infrastructure), prudent practice would dictate that environmental reviews carried out in accordance with 22 CFR 216 should include testing for arsenic in addition to the usual testing for coliform bacteria and nitrite/nitrate. Tests for additional contaminants should also be performed, as appropriate, when a nearby pollution source (e.g., industry, mining, heavy pesticide or fertilizer use) suggests that additional contaminants may be present.

There is no cause for undue alarm at this time because elevated arsenic concentrations are not anticipated at most locations. The USAID guidance has been issued to avoid potential problems and to resolve actual problems more effectively should they arise.

Should concentrations of arsenic exceeding the current drinking water recommendations be found in a location, a dilemma may arise as to whether to allow people to continue to use polluted traditional water supplies or to use USAID funds to provide water tainted with arsenic. Options will depend upon how the water is used (drinking and cooking, irrigation, livestock watering, or industry), the actual concentration of arsenic in the water, and the duration of use. Should such a dilemma arise, the Mission should consult the Public Health and Nutrition (PHN) Center in the Global Bureau and other partners as well as the potentially affected populations to find a workable resolution.

USAID is working with the U.S. Geological Survey to address this problem. Close coordination is recommended among the field, the responsible Bureau Environmental and Health Officers and USAID Partners (including PL-480 Title II Cooperating Sponsors) that provide wells, as G/HPN’s additional guidance on appropriate sampling and testing for arsenic is being developed. This coordination is also recommended to ensure appropriate analysis of this important issue in an activity’s 22 CFR 216 documentation.

The Global Bureau’s Centers for Environment and PHN will continue to monitor current research and field evaluations aimed at mitigation of arsenic in water supplies. Your input and ideas on developing guidance that is on the one hand, sensible, and on the other, protective of public health, are welcome. Please send input and ideas to Jim Hester, PPC/ENV, at (202) 712-5176.

(USAID’s cable communication Agency-wide, State 108651 16 June 1998)

IEE Section 5

contains:

1. *The completed summary table, listing all activities, screening outcomes, and recommended threshold decisions.*

2. *A brief abstract of the IEE.*

**IEE Section 4.3:
Summary Table**

This section serves as a conclusion, and is comprised of:

- Your Summary Table of activities comprises in this section. (Again, this is the table you began in Chapter 2 to record your screening results (Table 2.1), and further filled out under Step 5 of this Chapter.)
- Bullet summaries of principle mitigation and monitoring conditions. (This applies only if one or more of your recommended threshold decisions are “negative determination with conditions.”)

**4.7. Step 6: The Environmental
Compliance Facesheet**

Completing the Environmental Compliance Facesheet is the last step in the IEE process. The Facesheet is self-explanatory, and simply summarizes the following information:

- Basic activity or project information
- Whether the Facesheet supports a new activity, or whether it is submitted in support of a modified activity (and thus amends preexisting environmental documentation)
- Types of screening/IEE outcomes being recommended (Categorical Exclusions, Negative Determinations, Negative Determinations with Conditions, Deferrals)

The Facesheet also requests a one or two paragraph summary of the activities covered by the IEE.

Chapter 5.

Frequently Asked Questions about Environmental Compliance

The following are questions most frequently posed by users of the *Environmental Documentation Manual for USAID Title II Cooperating Sponsors*, the antecedant document to this EPTM. These questions arose repeatedly when PVOs and other food aid professionals began the process of understanding and responding to USAID's Environmental Procedures. To assist in cross-referencing, the questions are organized thematically. The questions themselves, paraphrased and combined, are in bold face type.

5.1. Understanding the rationale for compliance

5.1.1 Why is compliance with USAID environmental regulations required?

The requirements are Congressional in origin, but the rationale for their existence is a practical one — taking environmental factors into account makes good development sense. Activities, projects and programs have their sustainability enhanced through environmental review and assessment at the design stage—and that is what the regulation is all about.

5.1.2 What is Regulation 216

Regulation 216 is the commonly used shorthand term for the Agency's Environmental Procedures, which are codified in the Code of Federal Regulations (CFR) as 22 CFR Part 216 (also referred to informally as Reg. 216 or Reg. 16).

5.1.3 What happens if an activity is undertaken without adequate environmental analysis

USAID and those involved in the certification process are open to potential lawsuits, and the good name of all those involved is jeopardized. Most important, without environmental review and underlying environmentally sound design, an activity may not yield the results sought and may not be sustainable. Furthermore, USAID funds cannot be obligated unless activities receive prior Reg. 216 concurrence from the appropriate BEO.

5.2. Responsibilities and timelines

5.2.1 What is the timeline for Environmental Compliance?

- Environmental documentation should begin as soon as possible, and be completed expeditiously.
- All Program or Project Proposals or Proposal Amendment submissions should include an IEE or Categorical request cleared by the Mission Director or his/her designee (typically an MEO), unless an IEE or Categorical Exclusion for the respective project has already been approved by USAID.
- All BDCHA annual program or project reviews should be accompanied by an Environmental Status Report as outlined in Section 3.2 of the EPTM.
- USAID will continue to offer training in environmental analysis for USAID partners and their contractors and collaborators.

5.2.2 Who does what?

Partners: USAID Partners will prepare an environmental analysis of their activities, which will form the basis of the appropriate USAID environmental documentation. In addition to the EPTM, Partner staff can draw on outside expertise (MEO, REO, local and U.S. consultants as needed). The environmental documentation is incorporated by the Partner in the design process.

Partners should seek Mission review and clearance on their environmental documentation prior to official submission of proposals to Washington. The same is true for Environmental Status Reports and IEE/Categorical Exclusion Amendments. Environmental documentation, marked draft, may be submitted informally through the Mission to the Bureau Environmental Officer. If environmental documentation is submitted with a proposal without having been cleared by the Mission, the Partner should insure that it is clearly labeled as **“DRAFT—Not Yet Cleared by Mission”** and **dated** (be sure your computerized date mode is not set on automatic update, so that you are able to track possible future revisions). All draft Reg.216 documentation must be returned to the Mission for required clearance and the Mission may request revisions to ensure that Mission objectives, consideration of local conditions and consistency with environmental documentation of other Partners in the same country is achieved. Partners first submit environmental documentation to the USAID Mission Environmental Officer. The MEO obtains Mission clearance, and submits to the REO, if one exists and to the BEO.

USAID Missions: The MEO assesses information, recommends how an activity is to be classified, and works with the Partner to finalize documentation. Thus, it's important for the Partner to discuss preparation with the Mission before assembling the documentation. It is common practice for the MEO to clear on the documentation and for the Mission Director to approve it. The Mission Director or his/her designee must clear the IEE or Categorical Exclusion request prior to final environmental documentation approval by the BEO at USAID/Washington. In the case of

Title II Environmental Documentation, the USAID Mission Food for Peace Officer should also clear and the documentation forwarded to the BDCHA BEO for approval.

In a Mission's comments and/or approval cable on a proposed program, project or amendment, the Mission should state whether it concurs with the environmental documentation.

USAID/Washington: The IEE must receive BEO concurrence as the last step in the approval process from the USAID BEO. USAID Partners are free to send the Environmental Officer informational copies of environmental documentation, and to seek the guidance and expertise of the BEO during the IEE preparation and project design process. However, since the **IEE/Categorical Exclusion or IEE Amendment must first be cleared by the Mission Director or his/her designee prior to final approval by USAID/Washington**, all drafts circulated for comment and/or information to the BEO or the REO should be clearly marked as such.

Following review of the IEE by the Mission and USAID/W, the USAID Partner may be asked to modify current activity designs or budgets. An EA (a more comprehensive analysis than an IEE) may be required if the IEE recommends a Positive Determination, i.e., when significant (adverse) environmental consequences have been identified in the IEE and the approval process. It is a good idea to give the BEO a "heads up," and to keep the BEO in the loop, to avoid surprises and help answer specific questions.

5.2.3 What if the IEE is written, but the activity is subsequently changed or eliminated from the proposal?

Sometimes IEEs may be written for sets of activities that are modified or even eliminated from a proposal (if major changes are being made) during formal project or program approval. What happens if the IEE were to be approved prior to approval of the final proposal, thereby making it inconsistent with the program or project that will actually be implemented?

The Partner must take responsibility for making the necessary environmental documentation revisions and seeking necessary approvals and concurrences. Review again Section 3.3 of the EPTM regarding roles and responsibilities.

If an IEE has been submitted and approved by the MEO and the BEO, but there are changes to the proposal, the Partner's point person for the proposal should inform the Partner's staff responsible for Reg. 216 documentation preparation in the field (and the BEO and MEO) that a revised IEE must be prepared to accord with the final proposal document. If the proposal gets revised in Washington, then the Partner must work out a mechanism whereby the BEO is informed and sends the IEE back to the Mission for reworking with the revisions of the proposal.

In any case, a note regarding the revisions needed and made should accompany any re-submission and the date and sequence of the submissions should be clearly noted for the MEO's and BEO's information.

5.2.4 Is proposal approval contingent on environmental approval?

Specific questions under this topic include: Is a proposal approved before the environmental documentation is approved, or only after the approval of environmental documentation (this would likely be an IEE or Categorical Exclusion)? Is obligation of funds dependent on approved environmental documentation? Could a proposal be approved, but funds not be obligated until after environmental documentation is approved?

In principle, fully approved environmental documentation is to be submitted with the proposal or Project or Program Amendment, because **future obligations cannot be made until the documentation is approved** and approval of the proposal or amendments will not be possible unless there is suitable environmental documentation.

5.2.5 Can EAs be funded from DAP monies?

Specific questions under this topic include: What if I do an IEE and submit it with my proposal, but the IEE recommends a positive determination indicating that I will need to do an EA? Can I use the monies that I might get via that proposal to expend on the EA process so that I would be in compliance?

Partners must defer activities affected by the EA, but would be able to implement other approved activities. Partners could request a Categorical Exclusion to conduct the study itself, per 22 CFR 216.2(c)(iii). If an EA is needed, partners should budget for it, by requesting 202(e) funds. It is recommended that provision for IEE-related environmental review be made as a line item in the monetization component's budget as submitted with the project or program proposal. In ex post facto cases, budgeting would require a budget amendment proposing a shift of funds from one or more line items to an IEE/EA line item. An explanation of how the shift was made, without compromising the schedule of activities the budget was originally designed to support, should accompany the amendment request (see also Section 5.6.1).

5.2.6 Must environmental documentation be redone each time a project or program amendment is submitted?

Although amendment submissions need not include the previously approved environmental documentation (e.g., an IEE), if the documentation has already been approved by USAID and these activities have not changed. However, annual Environmental Status Reports should be prepared on all programs and projects. In 2-10 pages, the Report discusses the status of the mitigation plans and environmental monitoring. The instructions for preparing the Environmental Status Report help you determine if the previously approved environmental documentation needs to be amended because of changes in the activities mitigation plans or monitoring. The format and instructions are found in Section 3.2.

Note: If a Partner's submission contains changes that require a Project or Program Amendment, it will also include amended Reg. 216 environmental documentation.

5.2.7 Why does environmental documentation require USAID/Washington concurrence and clearances?

USAID is trying to empower Partners and USAID/Missions to make decisions for themselves, and increase their responsibility for compliance with Reg. 216. However, by statute, USAID cannot fully delegate authority for environmental decision-making from the BEO to the field under the concurrence process mandated by Reg. 216. The regulations cannot be changed internally by USAID, since they are established Federal Regulations that can only be changed by a process that involves formal notifications, public review, public comment and publication of new draft and final regulations in the Federal Register. Nevertheless, the approval and concurrence process should not cause delay in most cases. The BEOs typically have quick turn-around times for decisions.

The regulations stipulate that a threshold decision about the significance of environmental impacts and the appropriate level of documentation must have the concurrence of the BEO in USAID/Washington. The BEO will either concur or request reconsideration by the officer who made the threshold decision. Differences of opinion between these officers are submitted first to the Agency's Environmental Coordinator for resolution, or (in rare circumstances) are passed on to the Assistant Administrator (216.3[a][2]).

BEO concurrence provides a check against inadvertent error, as well the possibility that an implementing office might downplay environmental issues to expedite an activity. Furthermore, many Missions do not have staff fully conversant with the regulations and are not able to provide the level of knowledge required. It is the BEO's job to worry about the regulation and the environment.

5.3. Environmental compliance documentation

5.3.1 If a program or project contains several activities, do I submit separate environmental documentation for each activity?

Typically, no. You can cover several activities in one document. The EDG and additional guidance in this manual on compliance (see Sections 3 and 4) explains how to do this. If the proposal consists of a suite of different activities, such as agricultural credit, irrigation, and/or road building, it may make sense to organize Sections 1.0 through 4.0 of the IEE under the topical activity-cluster headings so that the sets of activities are analyzed separately by sector (thematic area). Thus, the sections would be repeated for each set of activities, and IEE Section 5.0 and the Facesheet summary would become the synopsis of all the parts. See also the response to Question 5.4.2.

5.3.2 What does the Partner do if the activities are not known in detail at the time the proposal is submitted?

Consider a deferral or preparing an "umbrella" IEE. Annex F provides information about preparing environmental documentation that can be submitted with the proposal when activities have not yet been designed in full. Annex F also provides guidance on how to do subsequent screening and environmental reviews of these activities as they are designed, without requiring that each submission receive USAID/Washington approval.

5.3.3 If deferrals are not encouraged, why are they provided as an option?

Deferrals merely postpone the inevitable, but they do buy time and they do allow you to separate out those activities that can proceed from those that cannot. Deferrals may be unavoidable in certain situations where some proposal elements need further definition (e.g., specific location, nature, and time), before they can be reviewed environmentally. Decisions on implementing those elements are also deferred, and **no commitment of resources should be made**. Multiple-activity proposals typically have a combination of multiple determinations, of which the deferral needs to be an available option. **In situations where a deferral might be appropriate, a Negative Determination with Conditions involving screening and review processes is an alternate option** (again, see Annex F).

5.4. Environmental Analysis

5.4.1 Is there a recommended way to organize proposal activities for the purpose of environmental decision making

Drawing on the sets or suites of activities and interventions in the USAID Partner's proposals, and preferably parallel to the format of your performance-monitoring plan and strategic framework, you could identify the nature and scale of the activities, geographic distribution, and relative proportion of resources devoted to the activities. Environmental decisions are ultimately site-specific and activity-specific, so having a sense of locations and activity characteristics will allow the overall potential for environmental impacts to be evaluated as well as the document preparation effort.

You may organize this information in a table (see Table 2.1). Note that this preparatory exercise provides an overview, so only ballpark figures are needed to arrive at a reasonably accurate order of magnitude. With this information in hand, use the EPTM. The format presented is intended as a guide only, and not meant to be the only way to present this information. Modify yours if necessary as long as the essential headings and their intent are addressed. Subsequent steps in preparing the documentation may require other tables and report formats appropriate to the nature and location of the activities.

5.4.2 If a proposal consists of a large number of different activities, what is the best way to organize the IEE?

That is, is there a way to organize the IEE to minimize repetition and make it easier to both prepare and review?

For large multi-sectoral programs it might be easier to retain the Environmental Compliance Facesheet and Summary as is, but as a means of trying to simplify the documentation process, it is suggested that the Partner consider preparing a series of documents that follow the IEE format but with each sector standing alone, e.g., roads, agriculture, health, soil conservation, etc. It is therefore recommended that the writeup for the first sector contain relevant background to the sector and program (without describing the whole program). If there are portions of IEE Section 1 *Background and Activity Description* that are applicable to other sectors, they do not need to be repeated in the next sector's documentation, but can be cross-referenced. This also may be possible for IEE Section 2 *Country and Environmental Information* with similar cross-referencing. Go to EPTM Sections 4.2 and 4.3 for a more detailed discussion of this issue.

5.4.3 When is programmatic environmental documentation best (vs. documenting each individual activity)

Environmental analysis is needed prior to and as input to any IEE, EA, or PEA. The approach to the conduct of environmental analyses depends on whether the proposed activities are generic or site-specific. Highly site-specific activities, such as an irrigation intervention, require analysis specific to the site within a "classic" IEE or as part of a post-IEE environmental review conducted under an "umbrella" IEE (see Question 5.3.2). If the scale of the activity is "significant" (a positive determination), it normally requires an EA. A group of similar activities in a region can also be treated within the framework of a PEA. More generic activities, such as soil erosion and terracing in several locations within a particular area, may be analyzed as a group within a "classic" IEE or, if an umbrella IEE has been prepared, similarly grouped and analyzed as part of a post-IEE environmental review. As in the example of highly site-specific activity(ies), activities considered "significant" would normally require an EA or a PEA.

5.4.4 How do I determine whether the scale or magnitude of my activities may result in significant effects?

Reg. 216 is unclear as to what scale or magnitude of a proposed action of group of actions is considered significant and therefore would trigger an EA. For example, in interpreting Reg. 216 compliance requirements, certain essential specifications as to what constitutes a "large" vs. "micro" dam, "major" irrigation project, etc., are not given. Without this information, how can the preparers of environmental documentation make determinations on their activities? More detailed specifications seem to be needed.

The very purpose of an IEE is to provide initial recommendations regarding a threshold decision, based on environmental analysis. Also, remember that

coming to conclusions about what constitutes “significant” scale or magnitude for activities is often a matter of judgment among professionals. Scale and magnitude decisions often involve reasoned subjective decisions rather than objective science, depending on the environmental context, e.g., the same intervention near a protected area may be “significant” but “not significant” in another location. Therefore, it is often useful in making such decisions to form and involve a team with varied environmental expertise in these decisions.

In some cases, a USAID Mission may take responsibility for acquiring specifications and data already developed (for example, by the host government) and for identifying parameters needed to assist USAID Partners in making their determinations. Although these kinds of specifics may not currently be available, the Partners can still proceed with an environmental analysis, begin the documentation process, and identify mitigation and monitoring measures to be taken to ensure that the activity is optimally sustainable and will not cause unintended harm to the environment.

In addition, the environmental analysis serves as an informal process for identifying mitigation measures linked to activity implementation. This process will give you a sense of the scale and magnitude of potential impacts. Begin the environmental analysis by simply listing all activity categories, and focus the collection of information on those activities that you consider to be not categorically excludable. That information will be essential for the IEE. If you believe your activities will have no significant (adverse) effects, provide the rationale in your IEE.

Remember that the umbrella IEE process (which provides for a Negative Determination with conditions) may be used if you have a large set of multiple activities and most of your activities are small-scale and not yet defined in much detail. In the course of refining other environmental review tools for country-specific situations, including country-specific IEE and post-IEE Environmental Screening Forms under an “umbrella” IEE process, you should expect to develop additional specifications for what locally are considered to constitute “significant” scale and magnitude.

Annex A: USAID Definitions in More Detail

This section provides more detailed discussion of the different categories of activities defined by Regulation 216. Read and understand this section before you begin classifying your activities and preparing your IEE or other documentation.

Please note that the section (§) numbers from Reg. 216 are cited throughout this section. *Actual excerpts from Reg. 216 are italicized.* Both are section references and Reg. 216 excerpts are provided because you may need to cite the applicable portions of the regulation in preparing environmental documentation. The full text of Regulation 216 is contained in Annex B.

A.1 Definition of exempt activities

A.2 Definitions of categorically excluded activities

A.3 Definitions of “high risk” activities typically requiring an environmental assessment (EA)

A.1 Definition of exempt activities

Regulation 216 sets out criteria for exemptions as follows:

Exemptions [§216.2(b)(1)]:¹²

(1) Projects, programs, or activities involving the following are exempt:

- (i) International disaster assistance [International disasters are declared by the U.S. Ambassador in the country(ies) involved, including those that receive emergency food aid];*
 - (ii) Other emergency circumstances; and*
 - (iii) Circumstances involving exceptional foreign policy sensitivities.*
-

Sometimes Title II activities are exempt because they are undertaken as part of international disaster assistance involving emergencies (for example, civil strife, famine, major earthquake, or flood). There are instances in which “notwithstanding” authorities will be invoked for emergency actions that have the effect of waiving certain normally required provisions. These instances will need to be determined in consultation with USAID. For example, “notwithstanding” language exists for “emergency feeding” programs that exempts these activities from everything, including 22 CFR 216. The purpose for this is to avoid slowing down food drops to people who are on the verge of starving to death—it is not for sustainable development.

The exemptions of §216.2(b)(1) are not applicable to assistance for the procurement or use of pesticides.

Development activities almost never qualify for exemptions. Permission for an exemption under (ii) and (iii) is required from the highest levels of USAID and from the President’s Council on Environmental Quality. In the extremely unlikely event that your activities might qualify for exemptions (ii) and (iii), a formal written determination, including a statement of justification, is required for each project, program, or activity. The determination is made by the Assistant USAID Administrator with responsibility for the program, project, or activity, or by the USAID Administrator, if authority to approve financing is reserved for the Administrator. The determination is made after consultation with the Council on Environmental Quality (a **rare** event) regarding the environmental consequences of the proposed program, project, or activity.

Table A.1 lists several kinds of PVO activities that USAID may determine to be exempt.

The Agency Environmental Coordinator has responded to several questions from the field concerning exemptions in order to clarify the underlying principles that justify an exemption.¹³

On the ground, practitioners not infrequently encounter situations which require distinguishing between emergency and development programming modalities, and decisions need to be made as to whether emergency or development procedures and requirements apply, especially as related to environmental compliance. Typically questions arise as to how one handles:

- 1) actual (unpredictable) emergencies, such as major floods, cyclones or similar situations, that are declared disasters by the Ambassador and which, if they use TII funds, could be considered exemptions, in accordance with §216.2(b)(1)(i);

⁴ All italicized text in this section is directly quoted from Reg. 216.

⁵ Source: Jim Hester, USAID’s Agency Environmental Coordinator (AEC), May 14, 1998 e-mail to Charlotte Bingham, REDSO/ESA REO and Nov. 30, 1998 e-mail to Walter Knausenberger.

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- 2) situations which appear to be defined as emergencies because the source of funding is the emergency side of FFP. (In this case, the justification for an exemption does not appear to lie within Reg. 216 *per se*); and
- 3) emergency programs that are justified with “notwithstanding” clauses and which may not be actual emergencies in the sense of number 1, but the source of the justification for not applying Reg. 216 is a “notwithstanding” clause(s).

The discussion below addresses these issues.

Table A.1: Some activities that may qualify for exemption

Type of Activity	Reason for Exemption
Emergency relocation of flood victims	Immediate response required; no alternatives available
Refugee camp establishment for rural populations caught in civil strife	Displaced populations without means or land to grow food; no immediate alternatives available
Emergency medical infrastructure, materials, and equipment for victims of war	Emergency medical requirements for injured populations

- When the current 22 CFR 216 was drafted in 1979-80, USAID created 216.2(b)(1)(i) for declared disaster assistance to avoid any possible delay in getting assistance to people who would die or suffer terribly if help didn't arrive in a matter of days. In the process, (ii) *Other emergency circumstances* and (iii) *Circumstances involving exceptional foreign policy sensitivities* were provided as contingencies to cover matters where people like the Administrator and the White House agreed that in extraordinary cases something was so urgent or so sensitive that environmental review was simply outweighed by the foreign policy need. The benchmark is extraordinarily high for these “emergency” or “foreign policy sensitivities” exemptions. They have been used rarely and even US AID’s first work in war-torn Bosnia did not qualify.

Spending time and effort finding ways around an environmental review is time wasted that could have been used to make a project more effective. The purpose of the regulation is not to go through pointless bureaucratic gyrations, but to ensure a professional job of designing a project to be sustainable and not hurt the people and the society it is trying to help. With or without a regulation such as 22 CFR 216, inattention to environmental impacts can lead to under-performance or harmful activities.

- USAID has determined that declared disaster assistance emergencies funded through the Office of Foreign Assistance (OFDA) are the only situations that qualify for *exemption (i)*. The purpose of this exemption is to give USAID the flexibility to address those disaster situations where even a day or two of delay would cause loss of lives and where getting relief to a location is critical. Even in cases of OFDA disaster assistance, the exemption clause should not be considered a license to ignore environmental consequences. OFDA does **advance planning** on how it will respond to different categories of disasters and **this is where efforts should be made to ensure that whatever is designed as a standard response package is as environmentally sound as possible**, in the same way that OFDA puts serious thought into advance planning to deliver medicines or temporary shelter. When a disaster response is extended in time, there should be a conscious effort to consider environmental impacts and to adjust assistance so as to minimize any long-term harm it might cause.

USAID and other donors are now beginning to understand that giving exemptions to disaster assistance may not be as humane as once thought, since poorly designed disaster assistance can cause major problems after the disaster has passed. Refugee camps are one example. Cooperating Sponsors, USAID, and other donors are learning that while very real needs may exist to get help to people as fast as possible in emergencies, there is also a need to “pre-design” emergency response packages with full consideration of environmental implications and mitigate them in advance of a response. They are also undertaking environmental review concurrently with providing disaster assistance, so that the assistance can be modified as it goes along to make it more environmentally sound.

USAID's own OFDA has developed guidance for use by PVOs/NGOs in preparation and response to emergencies. PVOs/NGOs are encouraged to develop environmentally sensitive programs based on this guidance and to coordinate their activities with the United Nations High Commission for Refugees (UNHCR) or other entities, which have environmental procedures for refugee operations.

In summary, **if you have activities that you believe may qualify as international disaster assistance consult the MEO (or appropriate parties) as soon as possible** to confirm that an exemption might be in order. Include appropriate information in your proposals indicating what activities are exempt and why. If some of your activities are considered exemptions, include the justifying document (e.g., the disaster assistance cable) in your Reg. 216 environmental documentation.

“Notwithstanding” authorities are found throughout U.S. Government Foreign Appropriations and Assistance regulations, pertaining to exceptions permitting programming despite various prohibitions (i.e., these prohibitions “notwithstanding”) for exigencies of various sorts: e.g.,

- for bonafide declared emergencies threatening human lives with imminent danger, political sensitivities; and
- for overriding geopolitical factors and programmatic needs (such as regional HIV/AIDS programs) deemed important and “without borders”—thus being able to operate in countries in which USAID has no Mission (“non-presence” countries) or is prohibited by law from assisting (e.g., due to military coup—Section 508 of the FY98 Appropriations Act).

For pesticide use, notwithstanding clauses do not override the need for a proper risk-benefit assessment, following USAID's Pesticide Procedures in 22 CFR 216.3(b).

A.2 Definitions of categorically excluded activities

Categorical exclusion criteria. Reg. 216, 22 CFR 216.2(c)(1), provides three general criteria that define a more specific list of Categorical Exclusions provided in 216.2(c)(2). The three criteria are:

-
- (i) *The action does not have an effect on the natural or physical environment;*
 - (ii) *[USAID] does not have knowledge or control over, and the objective of [USAID] in furnishing assistance does not require, either prior to approval of financing or prior to implementation of specific activities, knowledge or control over, the details of the specific activities that have an effect on the physical and natural environment for which financing is provided by [USAID]; and*
 - (iii) *Research activities which may have an effect on the physical and natural environment but will not have a significant effect as a result of limited scope, carefully controlled nature, and effective monitoring.*
-

These three criteria **are not normally used** in determining and citing Categorical Exclusions. Instead, you should use the specific list below which is taken from §216.2(c)(2). The list above is used **only** if the activity meets the criteria, but is not specifically listed below. For example, you will notice that none of the items below covers monetization per se, so it would be appropriate to cite 22 CFR 216.2(c)(1)(i) *The action does not have an effect on the natural or physical environment.*

Specific activities which are usually “categorically exempt.” The classes of action defined as Categorical Exclusions are listed below. If Categorical Exclusions apply to your activities or components thereof, enter these activities in Table 2.1 with the relevant information including the **specific citation** from the Regulation:

Categorical Exclusions [§216.2(c)(2)]:¹⁴

- (i) *Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.);*
- (ii) *Controlled experimentation exclusively for the purpose of research and field evaluation which are confined to small areas and carefully monitored [Note: a working definition of small would be fewer than four hectares (ha) or ten acres.];*
- (iii) *Analyses, studies, academic or research workshops and meetings*
- (iv) *Projects in which USAID is a minor donor to a multidonor project and there are no potential significant¹⁵ effects upon the environment of the United States, areas outside any nation’s jurisdiction or endangered or threatened species or their critical habitat [Note: USAID is a minor donor when its total contribution to the project is both less than \$1,000,000 and less than 25 percent of the estimated project cost, or USAID’s total contribution is more than \$1,000,000 but less than 25 percent of the estimated project*

¹⁴ All italicized text in this section is directly quoted from Reg. 216.

¹⁵ In this particular instance the term “significant” is defined according to the U.S. Council on Environmental Quality regulations, because it applies to effects on the U.S. or outside a nation’s jurisdiction. When effects are limited to countries outside the U.S. the word significant is defined as causing significant harm to the environment. Should you have an activity that might have significant effects on the U.S. or that is outside a nation’s jurisdiction, consult the BEO.

cost and the environmental procedures of the donor in control of the planning of design of the project are followed, but only if the USAID Environmental Coordinator determines that such procedures are adequate.];

(v) Document and information transfers;

(vi) Contributions to international, regional or national organizations by the United States which are not for the purpose of carrying out a specifically identifiable project or projects;

(vii) Institution building grants to research and educational institutions in the United States such as those provided for under section 122(d) and Title XII of Chapter 2 of Part I of the FAA [22 USCA §§2151 p. (b) 2220a. (1979)];

(viii) Programs involving nutrition, health care or population and family planning services except to the extent designed to include activities directly affecting the environment (such as construction of facilities, water supply systems, waste water treatment, etc.) [Note: if biohazardous waste is handled, blood is tested, or syringes are used (as in an immunization program), mitigative measures to deal with waste disposal must be identified in an IEE.];

(ix) Assistance provided under a Commodity Import Program when, prior to approval, USAID does not have knowledge of the specific commodities to be financed and when the objective in furnishing such assistance requires neither knowledge, at the time the assistance is authorized, nor control, during implementation, of the commodities or their use in the host country;

(x) Support for intermediate credit institutions when the objective is to assist in the capitalization of the institution or part thereof and when such support does not involve reservation of the right to review and approve individual loans made by the institution [Note: if there could be some biophysical impact from the loans made by the credit institution, for most rural credit programs, procedures for environmental review should be incorporated in the program and this activity should be addressed as part of an IEE.];

(xi) Programs of maternal or child feeding conducted under Title II of [Public Law] 480 [Note: when there are no on-the-ground physical interventions.];

(xii) Food for development programs conducted by food recipient countries under Title III of [Public Law] 480, when achieving USAID's objectives in such programs does not require knowledge of or control over the details of the specific activities conducted by the foreign country under such program [Note: PVOs do not receive Title III funds, so this categorical exclusion does not apply.];

(xiii) Matching, general support and institutional support grants provided to private voluntary organizations (PVOs) to assist in financing programs where USAID's objective in providing such financing does not require knowledge of or control over the details of the specific activities conducted by the PVO [Note: Title II is considered a commodity transfer, not a grant. Activities supported by 202(e) funds are subject to Reg. 216 compliance.];

(xiv) Studies, projects or programs intended to develop the capability of recipient countries to engage in development planning, except to the extent [they are] designed to result in activities directly affecting the environment (such as construction of facilities, etc.); and

(xv) Activities which involve the application of design criteria or standards developed and approved by USAID [Note: to date USAID has no such approved criteria or standards, so this categorical exclusion will not apply.]

A Few Reminders

- **The most common Categorical Exclusions that will apply to PVO or Cooperating Sponsor small-scale activities are 216.2(c)(2)(i), (ii), (iii), (v), (viii) or (xi).**
- **The Categorical Exclusions of §216.2(c)(2) are not applicable to assistance for the procurement or use of pesticides.** No use of pesticides will be approved unless USAID pesticide procedures have been satisfied. Consult Annex B [22 CFR 216.3(b)].
- Certain activities, for example, monetization or supplying computer equipment, may not fall under the specific list provided in §216.2(c)(2). However, since they normally have no significant adverse effect on the environment, they can be categorically excluded by citing one or more of the three general criteria in 216.2(c)(1). **When an activity does not fit under §216.2(c)(2), but is still categorically excluded, this should be explained, together with citation of 216.2(c)(1).**
- Categorical Exclusions are not a right; they are granted at the BEO's discretion.

A.3 Definitions of “high risk” activities typically requiring an environmental assessment (EA)

What triggers an EA? Activities that can trigger an EA are covered under four sets of regulatory provisions. These are: (1) actions normally having a significant effect on the environment [22 CFR 216.2(d)(1)]; (2) some pesticides [22 CFR 216.3(b)]; (3) endangered species and critical habitats [22 CFR 216.5]; and (4) special provisions of the Foreign Assistance Act as described below. **All those activities or components thereof to which these four provisions apply should be entered in Table 2.1** as potential positive determinations.

The regulation defines an EA as “a detailed study of the reasonably foreseeable significant effects, both beneficial and adverse, of a proposed action on the environment of a foreign country or countries.” See the Reg. 216 language [§216.6] in Annex B for more detail. The regulation provides information about the processing, format, and content of an EA, which is a relatively major document (with more detail, coverage, and depth than the IEE). As mentioned elsewhere EAs frequently take several months to a year to complete and are not normally applied to small-scale activities.

The four regulatory provisions that trigger an EA serve as a potential “red flag” that an EA **might be** required. You will note as you read the items covered by these four provisions that there is no reference to scale or magnitude of actions. The need for an EA as opposed to an IEE is a matter of judgment. Thus, you will prepare an IEE, even if you have activities included in this list, so that you can provide information about scale, scope, and intensity of the activities. (For example, if your activities are small-scale or if pesticides have a specific kind of registration status, you will indicate in the IEE why mitigative measures and monitoring are sufficient and why an EA might not need to be prepared. Remember that EAs for small-scale activities are relatively rare.

If you have sets of similar activities, or you and other USAID Partners working in the same area have similar activities, you might consider a Programmatic EA (PEA), which looks generically or programmatically at the entire class of actions. (E.g., “dams and irrigation interventions in Country X.”)

Guidance on the use of PEAs is also provided in Reg. 216 [§216.6(d)]. The regulation states they “*maybe appropriate in order to assess the environmental effects of a number of individual actions and their cumulative environmental impact in a given country or geographic area, or the environmental impacts that are generic or common to a class of agency actions, or other activities which are not country specific.*”

Classic PEAs are of benefit when a broad examination of a class of impacts is needed, typically in situations where previous EAs have not been performed and there is little past experience to use as a guide. See **Annex F: Programmatic Environmental Assessments—Special Application** for additional detail.

See Section 3.3 for pointers regarding next steps if your IEE leads to a positive determination.

Specific activities usually requiring an EA. Reg. 216 identifies several generic “classes of action” that are considered *a priori* to have a high potential for causing harm to the environment and normally require an EA. These are

“Actions normally having a significant effect on the environment” [§216.2(d)(1)]:

- (i) *Programs of river basin development;*
- (ii) *Irrigation or water management projects, including dams and impoundments;*
- (iii) *Agricultural land leveling;*
- (iv) *Drainage projects;*
- (v) *Large scale agricultural mechanization;*
- (vi) *New lands development;*

- (vii) Resettlement projects;
- (viii) Penetration road building or road improvement projects;
- (ix) Powerplants;
- (x) Industrial plants; and
- (xi) Potable water and sewerage projects other than those that are small-scale.

Other activities and project attributes often requiring an EA.

- **Procurement or Use of Pesticides [§216.3(b)]¹⁶.** Any assistance involving procurement or use of pesticides is subject to USAID's Pesticide Procedures [22 CFR 216.3(b)]. The definition of a pesticide is broad and includes insecticides, fungicides, herbicides, many other "cides" as well as botanical pesticides and certain biological controls. In many instances, an IEE suffices to describe the conditions for safe use of pesticides. Some types of pesticides require an EA (or EIS); other pesticides may require an EA on the basis of a threshold decision made in an IEE. If pesticide procurement or use is part of your activity, you will need to review the specific provisions of 216.3(b), then determine the USEPA registration status and what restrictions apply with respect to user or environmental hazard, and find out whether USEPA intends to cancel or suspend registration, or has initiated other types of regulatory actions. Unless the exceptions (stringent) of 216.3(b)(2) apply, an IEE must be prepared that addresses the 12 specific types of information required by 216.3(b)(1)(i).

Users of the EPTM may find it useful to obtain up-to-date information on pesticide registration at the following Internet website: <http://www.epa.gov/ebtpages/pesticides.html>.

In practice, USAID's pesticide procedures have had an unintended chilling effect on USAID's engagement in pesticide management, because of the perceived technical and informational hurdles. Paradoxically, Reg. 216 has also tended to minimize the inclination of USAID and its partners to become involved in integrated pest management (IPM). There is no reason why the prudent use of well-chosen, so-called general-use and least-toxic pesticides should not be readily justifiable to promote crop productivity. Ideally, these can be linked to IPM and sustainable agricultural practices.

In order to apply USAID regulations pertaining to pesticides, the name of the pesticide to be used and its USEPA registration status must be known. Contact your headquarters support staff and USAID's BEOs for assistance.

- **Endangered species and critical habitat [§216.5].** Regulation 216 contains specific language regarding project activities which may affect endangered species and/or critical habitat:

It is A.I.D. policy to conduct its assistance programs in a manner that is sensitive to the protection of endangered or threatened species and their critical habitats. The Initial Environmental Examination for each project, program or activity having an effect on the environment shall specifically determine whether the project, program or activity will have an effect on an endangered or threatened species, or critical habitat. If the proposed project, program or activity will have the effect of jeopardizing an endangered or threatened species or of adversely modifying its critical habitat, the Threshold Decision shall be a Positive Determination and an Environmental Assessment or Environmental Impact Statement completed as appropriate, which shall discuss alternatives or modifications to avoid or mitigate such impact on the species or its habitat.

¹⁶ "Use" is interpreted broadly by USAID, to include direct or indirect support to actual use such as transport, provision of fuel for transport, storage or disposal, etc. (i.e., cradle to grave).

For more on endangered and threatened species and the U.S. response to the Convention on International Trade in Endangered Species (CITES) see Box A.1.

- **Tropical forests, as addressed in the Foreign Assistance Act (FAA).** Based on amendments to the 1992 FAA, Section 118(c)(14) assistance must be denied for:

(A) the procurement or use of logging equipment (unless an environmental assessment indicates that all timber harvesting operations involved will be conducted in an environmentally sound manner which minimizes forest destruction, and that the proposed activity will produce positive economic benefits and sustainable forest management systems); and

(B) actions which significantly degrade national parks or similar protected areas which contain tropical forests or introduce exotic plants or animals into such areas.

Assistance must also be denied under **Section 118(c)(15)** for the following activities, unless an environmental assessment indicates that the proposed activity will contribute significantly and directly to improving the livelihood of the rural poor and will be conducted in an environmentally sound manner which supports sustainable development:

(A) Activities which would result in the conversion of forest lands to the rearing of livestock.

(B) Construction, upgrading or maintenance of roads, including temporary haul roads for other logging or other extractive industries, that pass through relatively undegraded forest lands.

(C) Colonization of forest lands.

(D) Construction of dams or other water control structures that flood relatively undegraded forest lands.

-
- **Biological diversity and endangered species, as addressed in the Foreign Assistance Act (FAA).** Section 119 of the Foreign Assistance Act specifies that the preservation of animal and plant species through the regulation of hunting and trade in endangered species, through limitations on the pollution of natural ecosystems and through protection of habitats, is an important objective of U.S. development assistance. USAID must ensure that ongoing and proposed actions by the Agency do not inadvertently endanger wildlife or plant species or their critical habitats, harm protected areas, or have other adverse impacts on biological diversity.

Section 119(g)(10) provides for the denial of direct or indirect assistance “*for actions which significantly degrade national parks or similar protected areas or introduce exotic plants or animals into such areas.*”

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In addition to the endangered species provisions of Reg. 216 and the Foreign Assistance Act, the Endangered Species Act of 1973 (as amended in 1978, 1982, 1988, and 1998) and the CITES convention affect USAID-funded actions overseas (see Box A.1).

Box A.1

Endangered and Threatened Species: What is CITES?

CITES is the Convention on International Trade in Endangered Species of wild flora and fauna.

CITES began in the mid-1970s with 139 member states as signatories.

CITES is a global alliance whose focus is the protection of plants and animals that otherwise could be over-exploited by unregulated international trade

What are the Appendices of CITES?

The UN sponsored a conference in Sweden in 1972 to recognize the need for focused international efforts to conserve wildlife. A treaty evolved from this conference which was designed to control the international trade in species that either were threatened with extinction or could become threatened with extinction. Three appendices were created:

- **Appendix I.** Species in which commercial trade is prohibited and non-commercial use strictly controlled. *Examples: red panda, golden-capped fruit bat and Arowana freshwater fish.*
- **Appendix II.** Species in which trade is strictly regulated to avoid jeopardizing species survival. *Examples: Nile crocodile, minke whale and leopard cat.*
- **Appendix III.** Species identified by individual CITES parties as subject to domestic regulations to restrict or prevent exploitation. *Examples: golden jackal, walrus and little egret.*

What is the Red List?

The Red List is the most comprehensive inventory of threatened species and subspecies on a global scale. The "IUCN Red List of Threatened Animals" is compiled by the Species Survival Commission (SSC) of IUCN, which has more than 6,000 members.

- **List 1. Threatened Species**
Animals in this category are listed as Critically Endangered (CR), Endangered (EN), or Vulnerable (VU).
Examples: African wild dog (EN), black rhino (CR), and cheetah (VU).
- **List 2 - Lower Risk: Conservation Dependent**
Animals in this category are the subject of a targeted conservation program.
Examples: minke whale, spotted hyena and white rhinoceros.
- **List 3 - Lower Risk: "Near Threatened"**
Examples: Colobus monkey, white rumped vulture, and shoebill.
- **List 4 - Extinct and Extinct in the Wild**
Examples: dodo, Vietnam warty pig, and pig-footed bandicoot.

What is the U.S. response?

- The US is a signatory to the Convention.
- The Endangered Species Act of 1973 requires all Federal agencies to undertake programs for the conservation of endangered and threatened species, and prohibits the authorizing, funding, or carrying out of any action that would jeopardize a listed species or destroy or modify its "critical habitat." Enforcement authority rests with the U.S. Fish & Wildlife Service. For information by Worldwide Web check: <http://endangered.fws.gov/>.
- Broad prohibitions against taking of wildlife are applied to all domestic and international endangered animal species, which could apply to threatened animals by special regulation.
- Under the Act, authority was provided to acquire land for animals and plants listed under CITES.
- The 1998 Foreign Operations Appropriations Act (P.L. 105-118) prohibits the use of development assistance funds for any activity which is "in contravention to. CITES."

Annex B: Official USAID Guidance and Regulation

B.1 Full text of Regulation 216

(USAID Environmental Procedures: Text of 22 CFR 216)

B.2 Excerpts from official FY 2003 DAP Guidance regarding environmental compliance

**USAID ENVIRONMENTAL PROCEDURES:
TEXT OF TITLE 22, CODE OF FEDERAL REGULATIONS
PART 216 (Reg. 216)**

ENVIRONMENTAL PROCEDURES¹

These procedures have been revised based on experience with previous ones agreed to in settlement of a law suit brought against the Agency in 1975. The Procedures are Federal Regulations and therefore, it is imperative that they be followed in the development of Agency programs.

In preparing these Regulations, some interpretations and definitions have been drawn from Executive Order No. 12114 of 4 January 1979, on the application of the National Environmental Policy Act (NEPA) to extraterritorial situations. Some elements of the revised regulations on NEPA issued by the President's Council on Environmental Quality have also been adopted. Examples are: The definition of significant impact, the concept of scoping of issues to be examined in a formal analysis, and the elimination of certain USAID activities from the requirement for environmental review.

In addition, these procedures: 1) provide advance notice that certain types of projects will automatically require detailed environmental analysis thus eliminating one step in the former process and permitting early planning for this activity; 2) permit the use of specially prepared project design considerations or guidance to be substituted for environmental analysis in selected situations; 3) advocate the use of indigenous specialists to examine pre-defined issues during the

project design stage; 4) clarify the role of the Bureau's Environmental Officer in the review and approval process, and 5) permit in certain circumstances, projects to go forward prior to completion of environmental analysis.

Note that only minimal clarification changes have been made in those sections dealing with the evaluation and selection of pesticides to be supported by USAID in projects or of a non-project assistance activity.

<u>Sec.</u>	<u>Topic</u>
216. 1	Introduction
216. 2	Applicability of procedures
216. 3	Procedures
216. 4	Private applicants
216. 5	Endangered species
216. 6	Environmental assessments
216. 7	Environmental impact statements
216. 8	Public hearings
216. 9	Bilateral and multilateral studies and concise reviews of environmental issues
216.10	Records and reports
<u>Authority:</u> 42 U.S.C. 4332; 22 U.S.C. 2381.	
<u>Source:</u> 41 CFR 26913, June 30, 1976.	

§216.1 INTRODUCTION

(a) Purpose

In accordance with sections 118(b) and 621 of the Foreign Assistance Act of 1961, as amended, (the FAA) the following general procedures shall be used by A.I.D. to ensure that environmental factors and values are integrated into the A.I.D. decision-making process. These procedures also assign responsibility within the Agency for assessing the environmental effects of A.I.D.'s actions. These procedures are consistent with Executive Order 12114, issued January 4, 1979, entitled Environmental Effects Abroad of Major Federal Actions, and the purposes of the National Environmental Policy Act of 1970, as amended (42 U.S.C. 4371 et seq.)(NEPA). They are intended to implement the requirements of NEPA as they effect the A.I.D. program.

1 Title 22 of the Federal Code of Federal Regulations, Part 216, with preamble, is presented here in its entirety. Spelling errors have been corrected from the original. This represents the most recent version, dated October 9, 1980.

Even with a "re-engineered" assistance process, USAID must fully comply with 22 CFR 216, except to the extent some of its terms are not used in the new operations assistance processes (i.e. PID, PP, etc.). In those cases the terms used in the Automated Directives System (ADS, which are intended to be as parallel as possible to the original terms) are used instead. However, 22 CFR 216 is controlling in the event of a conflict between ADS Chapter 204 on USAID's Environmental Procedures and 22 CFR 216. If there are questions, consult your BEO, the AEC, or Agency legal counsel.

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(b) Environmental Policy

In the conduct of its mandate to help upgrade the quality of life of the poor in developing countries, A.I.D. conducts a broad range of activities. These activities address such basic problems as hunger, malnutrition, overpopulation, disease, disaster, deterioration of the environment and the natural resource base, illiteracy as well as the lack of adequate housing and transportation. Pursuant to the FAA, A.I.D. provides development assistance in the form of technical advisory services, research, training, construction and commodity support. In addition, A.I.D. conducts programs under the Agricultural Trade Development and Assistance Act of 1954 (Pub. L. 480) that are designed to combat hunger, malnutrition and to facilitate economic development. Assistance programs are carried out under the foreign policy guidance of the Secretary of State and in cooperation with the governments of sovereign states. Within this framework, it is A.I.D. policy to:

- (1) Ensure that the environmental consequences of A.I.D.-financed activities are identified and considered by A.I.D. and the host country prior to a final decision to proceed and that appropriate environmental safeguards are adopted;
- (2) Assist developing countries to strengthen their capabilities to appreciate and effectively evaluate the potential environmental effects of proposed development strategies and projects, and to select, implement and manage effective environmental programs;
- (3) Identify impacts resulting from A.I.D. 's actions upon the environment, including those aspects of the biosphere which are the common and cultural heritage of all mankind; and
- (4) Define environmental limiting factors that constrain development and identify and carry out activities that assist in restoring the renewable resource base on which sustained development depends.

(c) Definitions

(1) CEQ Regulations. Regulations promulgated by the President 's Council on Environmental Quality (CEQ) (Federal Register, Volume 43, Number 230, November 29, 1978) under the authority of NEPA and Executive Order 11514, entitled Protection and Enhancement of

Environmental Quality (March 5, 1970) as amended by Executive Order 11991 (May 24, 1977).

(2) Initial Environmental Examination. An Initial Environmental Examination is the first review of the reasonably foreseeable effects of a proposed action on the environment. Its function is to provide a brief statement of the factual basis for a Threshold Decision as to whether an Environmental Assessment or an Environmental Impact Statement will be required.

(3) Threshold Decision. A formal Agency decision which determines, based on an Initial Environmental Examination, whether a proposed Agency action is a major action significantly affecting the environment.

(4) Environmental Assessment. A detailed study of the reasonably foreseeable significant effects, both beneficial and adverse, of a proposed action on the environment of a foreign country or countries.

(5) Environmental Impact Statement. A detailed study of the reasonably foreseeable environmental impacts, both positive and negative, of a proposed A.I.D. action and its reasonable alternatives on the United States, the global environment or areas outside the jurisdiction of any nation as described in ' 216.7 of these procedures. It is a specific document having a definite format and content, as provided in NEPA and the CEQ Regulations. The required form and content of an Environmental Impact Statement is further described in ' 216.7 infra.

(6) Project Identification Document (PID). An internal A.I.D. document which initially identifies and describes a proposed project.

(7) Program Assistance Initial Proposal (PAIP). An internal A.I.D. document used to initiate and identify proposed non-project assistance, including commodity import programs. It is analogous to the PID.

(8) Project Paper (PP). An internal A.I.D. document which provides a definitive description and appraisal of the project and particularly the plan or implementation.

(9) Program Assistance Approval Document (PAAD). An internal A.I.D. document approving non-project assistance. It is analogous to the PP.

(10) Environment. The term environment, as used in these procedures with respect to effects occurring outside the United States, means the natural and physical environment. With respect to effects occurring within the United States see '216.7(b).

(11) Significant Effect. With respect to effects on the environment outside the United States, a proposed action has a significant effect on the environment if it does significant harm to the environment.

(12) Minor Donor. For purposes of these procedures, A.I.D. is a minor donor to a multidonor project when A.I.D. does not control the planning or design of the multidonor project and either

(i) A.I.D. 's total contribution to the project is both less than \$1,000,000 and less than 25 percent of the estimated project cost, or

(ii) A.I.D. 's total contribution is more than \$1,000,000 but less than 25 percent of the estimated project cost and the environmental procedures of the donor in control of the planning of design of the project are followed, but only if the A.I.D. Environmental Coordinator determines that such procedures are adequate.

§216.2 APPLICABILITY OF PROCEDURES

(a) Scope

Except as provided in '216.2(b), these procedures apply to all new projects, programs or activities authorized or approved by A.I.D. and to substantive amendments or extensions of ongoing projects, programs, or activities.

(b) Exemptions

(1) Projects, programs or activities involving the following are exempt from these procedures:

- (i) International disaster assistance;
- (ii) Other emergency circumstances; and
- (iii) Circumstances involving exceptional foreign policy sensitivities.

(2) A formal written determination, including a statement of the justification therefore, is required

for each project, program or activity for which an exemption is made under paragraphs (b)(1) (ii) and (iii) of this section, but is not required for projects, programs or activities under paragraph (b)(1)(i) of this section. The determination shall be made either by the Assistant Administrator having responsibility for the program, project or activity, or by the Administrator, where authority to approve financing has been reserved by the Administrator. The determination shall be made after consultation with CEQ regarding the environmental consequences of the proposed program, project or activity.

(c) Categorical Exclusions

(1) The following criteria have been applied in determining the classes of actions included in '216.2(c)(2) for which and Initial Environmental Examination, Environmental Assessment and Environmental Impact Statement generally are not required:

(i) The action does not have an effect on the natural or physical environment;

(ii) A.I.D. does not have knowledge of or control over, and the objective of A.I.D. in furnishing assistance does not require, either prior to approval of financing or prior to implementation of specific activities, knowledge of or control over, the details of the specific activities that have an effect on the physical and natural environment for which financing is provided by A.I.D.;

(iii) Research activities which may have an affect on the physical and natural environment but will not have a significant effect as a result of limited scope, carefully controlled nature and effective monitoring.

(2) The following classes of actions are not subject to the procedures set forth in '216.3, except to the extent provided herein;

(i) Education, technical assistance, or training programs except to the extent such programs include activities directly affecting the environment (such as construction of facilities, etc.);

(ii) Controlled experimentation exclusively for the purpose of research and field evaluation which are confined to small areas and carefully monitored;

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(iii) Analyses, studies, academic or research workshops and meetings;

(iv) Projects in which A.I.D. is a minor donor to a multidonor project and there is no potential significant effects upon the environment of the United States, areas outside any nation's jurisdiction or endangered or threatened species or their critical habitat;

(v) Document and information transfers;

(vi) Contributions to international, regional or national organizations by the United States which are not for the purpose of carrying out a specifically identifiable project or projects;

(vii) Institution building grants to research and educational institutions in the United States such as those provided for under section 122(d) and Title XII of Chapter 2 of Part I of the FAA (22 USCA ' ' 2151 p. (b) 2220a. (1979));

(viii) Programs involving nutrition, health care or population and family planning services except to the extent designed to include activities directly affecting the environment (such as construction of facilities, water supply systems, waste water treatment, etc.)

(ix) Assistance provided under a Commodity Import Program when, prior to approval, A.I.D. does not have knowledge of the specific commodities to be financed and when the objective in furnishing such assistance requires neither knowledge, at the time the assistance is authorized, nor control, during implementation, of the commodities or their use in the host country.

(x) Support for intermediate credit institutions when the objective is to assist in the capitalization of the institution or part thereof and when such support does not involve reservation of the right to review and approve individual loans made by the institution;

(xi) Programs of maternal or child feeding conducted under Title II of Pub. L. 480;

(xii) Food for development programs conducted by food recipient countries under Title III of Pub. L. 480, when achieving A.I.D.'s objectives in such programs does not require knowledge of or control over the details of the specific activities conducted by the foreign country under such program;

(xiii) Matching, general support and institutional support grants provided to private voluntary organizations (PVOs) to assist in financing programs where A.I.D.'s objective in providing such financing does not require knowledge of or control over the details of the specific activities conducted by the PVO;

(xiv) Studies, projects or programs intended to develop the capability of recipient countries to engage in development planning, except to the extent designed to result in activities directly affecting the environment (such as construction of facilities, etc.); and

(xv) Activities which involve the application of design criteria or standards developed and approved by A.I.D.

(3) The originator of a project, program or activity shall determine the extent to which it is within the classes of actions described in paragraph (c)(2) of this section. This determination shall be made in writing and be submitted with the PID, PAIP or comparable document. This determination, which must include a brief statement supporting application of the exclusion shall be reviewed by the Bureau Environmental Officer in the same manner as a Threshold Decision under §216.3(a)(2) of these procedures. Notwithstanding paragraph (c)(2) of this section, the procedures set forth in §216.3 shall apply to any project, program or activity included in the classes of actions listed in paragraph (c)(2) of this section, or any aspect or component thereof, if at any time in the design, review or approval of the activity it is determined that the project, program or activity, or aspect or component thereof, is subject to the control of A.I.D. and may have a significant effect on the environment.

(d) Classes of Actions Normally Having a Significant Effect on the Environment

(1) The following classes of actions have been determined generally to have a significant effect on the environment and an Environmental Assessment or Environmental Impact Statement, as appropriate, will be required:

- (i) Programs of river basin development;
- (ii) Irrigation or water management projects, including dams and impoundments;

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- (iii) Agricultural land leveling;
- (iv) Drainage projects;
- (v) Large scale agricultural mechanization;
- (vi) New lands development;
- (vii) Resettlement projects;
- (viii) Penetration road building or road improvement projects;
- (ix) Powerplants;
- (x) Industrial plants;
- (xi) Potable water and sewerage projects other than those that are small-scale.

(2) An Initial Environmental Examination normally will not be necessary for activities within the classes described in §216.2(d), except when the originator of the project believes that the project will not have a significant effect on the environment. In such cases, the activity may be subjected to the procedures set forth in §216.3

(e) Pesticides.

The exemptions of §216.2(b)(1) and the categorical exclusions of §216.2(c)(2) are not applicable to assistance for the procurement or use of pesticides.

§216.3 PROCEDURES

(a) General Procedures

(1) Preparation of the Initial Environmental Examination. Except as otherwise provided, an Initial Environmental Examination is not required for activities identified in §216.2(b)(1), (c)(2), and (d). For all other A.I.D. activities described in §216.2(a) an Initial Environmental Examination will be prepared by the originator of an action. Except as indicated in this section, it should be prepared with the PID or PAIP. For projects including the procurement or use of pesticides, the procedures set forth in §216.3(b) will be followed, in addition to the procedures in this paragraph. Activities which cannot be identified in sufficient detail to permit the completion of an Initial Environmental Examination with the PID or PAIP, shall be described by including with the PID or PAIP:

(i) an explanation indicating why the Initial Environmental Examination cannot be completed;

(ii) an estimate of the amount of time required to complete the Initial Environmental Examination; and

(iii) a recommendation that a Threshold Decision be deferred until the Initial Environmental Examination is completed. The responsible Assistant Administrator will act on the request for deferral concurrently with action on the PID or PAIP and will designate a time for completion of the Initial Environmental Examination. In all instances, except as provided in §216.3(a)(7), this completion date will be in sufficient time to allow for the completion of an Environmental Assessment or Environmental Impact Statement, if required, before a final decision is made to provide A.I.D. funding for the action.

(2) Threshold Decision.

(i) The Initial Environmental Examination will include a Threshold Decision made by the officer in the originating office who signs the PID or PAIP. If the Initial Environmental Examination is completed prior to or at the same time as the PID or PAIP, the Threshold Decision will be reviewed by the Bureau Environmental Officer concurrently with approval of the PID or PAIP. The Bureau Environmental Officer will either concur in the Threshold Decision or request reconsideration by the officer who made the Threshold Decision, stating the reasons for the request. Differences of opinion between these officers shall be submitted for resolution to the Assistant Administrator at the same time that the PID is submitted for approval.

(ii) An Initial Environmental Examination, completed subsequent to approval of the PID or PAIP, will be forwarded immediately together with the Threshold Determination to the Bureau Environmental Officer for action as described in this section.

(iii) A Positive Threshold Decision shall result from a finding that the proposed action will have a significant effect on the environment. An Environmental Impact Statement shall be prepared if required

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pursuant to §216.7. If an impact statement is not required, an Environmental Assessment will be prepared in accordance with §216.6. The cognizant Bureau or Office will record a Negative Determination if the proposed action will not have a significant effect on the environment.

(3) Negative Declaration. The Assistant Administrator, or the Administrator in actions for which the approval of the Administrator is required for the authorization of financing, may make a Negative Declaration, in writing, that the Agency will not develop an Environmental Assessment or an Environmental Impact Statement regarding an action found to have a significant effect on the environment when (i) a substantial number of Environmental Assessments or Environmental Impact Statements relating to similar activities have been prepared in the past, if relevant to the proposed action, (ii) the Agency has previously prepared a programmatic Statement or Assessment covering the activity in question which has been considered in the development of such activity, or (iii) the Agency has developed design criteria for such an action which, if applied in the design of the action, will avoid a significant effect on the environment.

(4) Scope of Environmental Assessment or Impact Statement

(i) Procedure and Content. After a Positive Threshold Decision has been made, or a determination is made under the pesticide procedures set forth in §216.3(b) that an Environmental Assessment or Environmental Impact Statement is required, the originator of the action shall commence the process of identifying the significant issues relating to the proposed action and of determining the scope of the issues to be addressed in the Environmental Assessment or Environmental Impact Statement. The originator of an action within the classes of actions described in §216.2(d) shall commence this scoping process as soon as practicable. Persons having expertise relevant to the environmental aspects of the proposed action shall also participate in this scoping process. (Participants may include but are not limited to representatives of host governments, public and private institutions, the A.I.D. Mission staff and contractors.) This process shall result in a written statement which shall include the following matters:

(a) A determination of the scope and significance of issues to be analyzed in the Environmental Assessment or Impact Statement, including direct and indirect effects of the project on the environment.

(b) Identification and elimination from detailed study of the issues that are not significant or have been covered by earlier environmental review, or approved design considerations, narrowing the discussion of these issues to a brief presentation of why they will not have a significant effect on the environment.

(c) A description of

(1) the timing of the preparation of environmental analyses, including phasing if appropriate,

(2) variations required in the format of the Environmental Assessment, and

(3) the tentative planning and decision-making schedule; and

(d) A description of how the analysis will be conducted and the disciplines that will participate in the analysis.

(ii) These written statements shall be reviewed and approved by the Bureau Environmental Officer.

(iii) Circulation of Scoping Statement. To assist in the preparation of an Environmental Assessment, the Bureau Environmental Officer may circulate copies of the written statement, together with a request for written comments, within thirty days, to selected federal agencies if that Officer believes comments by such federal agencies will be useful in the preparation of an Environmental Assessment. Comments received from reviewing federal agencies will be considered in the preparation of the Environmental Assessment and in the formulation of the design and implementation of the project, and will, together with the scoping statement, be included in the project file.

(iv) Change in Threshold Decision. If it becomes evident that the action will not have a significant effect on the environment (*i.e.*, will not cause significant harm to the

environment), the Positive Threshold Decision may be withdrawn with the concurrence of the Bureau Environmental Officer. In the case of an action included in §216.2(d)(2), the request for withdrawal shall be made to the Bureau Environmental Officer.

(5) Preparation of Environmental Assessments and Environmental Impact Statement. If the PID or PAIP is approved, and the Threshold Decision is positive, or the action is included in §216.2(d), the originator of the action will be responsible for the preparation of an Environmental Assessment or Environmental Impact Statement as required. Draft Environmental Impact Statements will be circulated for review and comment as part of the review of Project Papers and as outlined further in §216.7 of those procedures. Except as provided in §216.3(a)(7), final approval of the PP or PAAD and the method of implementation will include consideration of the Environmental Assessment or final Environmental Impact Statement.

(6) Processing and Review Within A.I.D.

(i) Initial Environmental Examinations, Environmental Assessments, and final Environmental Impact Statements will be processed pursuant to standard A.I.D. procedures for project approval documents. Except as provided in §216.3(a)(7), Environmental Assessments and final Environmental Impact Statements will be reviewed as an integral part of the Project Paper or equivalent document. In addition to these procedures, Environmental Assessments will be reviewed and cleared by the Bureau Environmental Officer. They may also be reviewed by the Agency's Environmental Coordinator who will monitor the Environmental Assessment process.

(ii) When project approval authority is delegated to field posts, Environmental Assessments shall be reviewed and cleared by the Bureau Environmental Officer prior to the approval of such actions.

(iii) Draft and final Environmental Impact Statements will be reviewed and cleared by the Environmental Coordinator and the Office of the General Counsel.

(7) Environmental Review After Authorization of Financing.

(i) Environmental review may be performed after authorization of a project, program or activity only with respect to subprojects or significant aspects of the project, program or activity that are unidentified at the time of authorization. Environmental review shall be completed prior to authorization for all subprojects and aspects of a project, program or activity that are identified.

(ii) Environmental review should occur at the earliest time in design or implementation at which a meaningful review can be undertaken, but in no event later than when previously unidentified subprojects or aspects of projects, programs or activities are identified and planned. To the extent possible, adequate information to undertake deferred environmental review should be obtained before funds are obligated for unidentified subprojects or aspects of projects, programs or activities. (Funds may be obligated for the other aspects for which environmental review has been completed.) To avoid an irreversible commitment of resources prior to the conclusion of environmental review, the obligation of funds can be made incrementally as subprojects or aspects of projects, programs or activities are identified; or if necessary while planning continues, including environmental review, the agreement or other document obligating funds may contain appropriate covenants or conditions precedent to disbursement for unidentified subprojects or aspects of projects, programs or activities.

(iii) When environmental review must be deferred beyond the time some of the funds are to be disbursed (e.g., long lead times for the delivery of goods or services), the project agreement or other document obligating funds shall contain a covenant or covenants requiring environmental review, including an Environmental Assessment or Environmental Impact Statement, when appropriate, to be completed and taken into account prior to implementation of those subprojects or aspects of the project, program or activity for which environmental review is deferred. Such covenants shall ensure that implementation plans will be modified in accordance with environmental review if the parties decide that modifications are necessary.

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(iv) When environmental review will not be completed for an entire project, program or activity prior to authorization, the Initial Environmental Examination and Threshold Decision required under §216.3(a)(1) and (2) shall identify those aspects of the project, program or activity for which environmental review will be completed prior to the time financing is authorized. It shall also include those subprojects or aspects for which environmental review will be deferred, stating the reasons for deferral and the time when environmental review will be completed. Further, it shall state how an irreversible commitment of funds will be avoided until environmental review is completed. The A.I.D. officer responsible for making environmental decisions for such projects, programs or activities shall also be identified (the same officer who has decision-making authority for the other aspects of implementation). This deferral shall be reviewed and approved by the officer making the Threshold Decision and the officer who authorizes the project, program or activity. Such approval may be made only after consultation with the Office of General Counsel for the purpose of establishing the manner in which conditions precedent to disbursement or covenants in project and other agreements will avoid an irreversible commitment of resources before environmental review is completed.

(8) Monitoring. To the extent feasible and relevant, projects and programs for which Environmental Impact Statements or Environmental Assessments have been prepared should be designed to include measurement of any changes in environmental quality, positive or negative, during their implementation. This will require recording of baseline data at the start. To the extent that available data permit, originating offices of A.I.D. will formulate systems in collaboration with recipient nations, to monitor such impacts during the life of A.I.D.'s involvement. Monitoring implementation of projects, programs and activities shall take into account environmental impacts to the same extent as other aspects of such projects, programs and activities. If during implementation of any project, program or activity, whether or not an Environmental Assessment or Environmental Impact Statement was originally required, it appears to the Mission Director, or officer responsible for the project, program or activity, that it is having or will have a significant effect on the environment that was

not previously studied in an Environmental Assessment or Environmental Impact Statement, the procedures contained in this part shall be followed including, as appropriate, a Threshold Decision, Scoping and an Environmental Assessment or Environmental Impact Statement.

(9) Revisions. If, after a Threshold Decision is made resulting in a Negative Determination, a project is revised or new information becomes available which indicates that a proposed action might be "major" and its effects "significant", the Negative Determination will be reviewed and revised by the cognizant Bureau and an Environmental Assessment or Environmental Impact Statement will be prepared, if appropriate. Environmental Assessments and Environmental Impact Statements will be amended and processed appropriately if there are major changes in the project or program, or if significant new information becomes available which relates to the impact of the project, program or activity on the environment that was not considered at the time the Environmental Assessment or Environmental Impact Statement was approved. When ongoing programs are revised to incorporate a change in scope or nature, a determination will be made as to whether such change may have an environmental impact not previously assessed. If so, the procedures outlined in this part will be followed.

(10) Other Approval Documents. These procedures refer to certain A.I.D. documents such as PIDs, PAIPs, PPs and PAADs as the A.I.D. internal instruments for approval of projects, programs or activities. From time to time, certain special procedures, such as those in §216.4, may not require the use of the aforementioned documents. In these situations, these environmental procedures shall apply to those special approval procedures, unless otherwise exempt, at approval times and levels comparable to projects, programs and activities in which the aforementioned documents are used.

(b) Pesticide Procedures

(1) Project Assistance. Except as provided in §216.3 (b)(2), all proposed projects involving assistance for the procurement or use, or both, of pesticides shall be subject to the procedures prescribed in §216.3(b)(1)(i) through (v). These procedures shall also apply, to the extent permitted by agreements entered into by A.I.D. before the

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effective date of these pesticide procedures, to such projects that have been authorized but for which pesticides have not been procured as of the effective date of these pesticide procedures.

(i) When a project includes assistance for procurement or use, or both, of pesticides registered for the same or similar uses by USEPA without restriction, the Initial Environmental Examination for the project shall include a separate section evaluating the economic, social and environmental risks and benefits of the planned pesticide use to determine whether the use may result in significant environmental impact. Factors to be considered in such an evaluation shall include, but not be limited to the following:

- (a) The USEPA registration status of the requested pesticide;
- (b) The basis for selection of the requested pesticide;
- (c) The extent to which the proposed pesticide use is part of an integrated pest management program;
- (d) The proposed method or methods of application, including availability of appropriate application and safety equipment;
- (e) Any acute and long-term toxicological hazards, either human or environmental, associated with the proposed use and measures available to minimize such hazards;
- (f) The effectiveness of the requested pesticide for the proposed use;
- (g) Compatibility of the proposed pesticide with target and nontarget ecosystems;
- (h) The conditions under which the pesticide is to be used, including climate, flora, fauna, geography, hydrology, and soils;
- (i) The availability and effectiveness of other pesticides or nonchemical control methods;
- (j) The requesting country's ability to regulate or control the distribution, storage, use and disposal of the requested pesticide;

(k) The provisions made for training of users and applicators; and

(l) The provisions made for monitoring the use and effectiveness of the pesticide.

In those cases where the evaluation of the proposed pesticide use in the Initial Environmental Examination indicates that the use will significantly affect the human environment, the Threshold Decision will include a recommendation for the preparation of an Environmental Assessment or Environmental Impact Statement, as appropriate. In the event a decision is made to approve the planned pesticide use, the Project Paper shall include to the extent practicable, provisions designed to mitigate potential adverse effects of the pesticide. When the pesticide evaluation section of the Initial Environmental Examination does not indicate a potentially unreasonable risk arising from the pesticide use, an Environmental Assessment or Environmental Impact Statement shall nevertheless be prepared if the environmental effects of the project otherwise require further assessment.

(ii) When a project includes assistance for the procurement or use, or both, of any pesticide registered for the same or similar uses in the United States but the proposed use is restricted by the USEPA on the basis of user hazard, the procedures set forth in §216.3(b)(1)(i) above will be followed. In addition, the Initial Environmental Examination will include an evaluation of the user hazards associated with the proposed USEPA restricted uses to ensure that the implementation plan which is contained in the Project Paper incorporates provisions for making the recipient government aware of these risks and providing, if necessary, such technical assistance as may be required to mitigate these risks. If the proposed pesticide use is also restricted on a basis other than user hazard, the procedures in §216.3(b)(1)(iii) shall be followed in lieu of the procedures in this section.

(iii) If the project includes assistance for the procurement or use, or both of:

- (a) Any pesticide other than one registered for the same or similar uses by USEPA

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without restriction or for restricted use on the basis of user hazard; or

(b) Any pesticide for which a notice of rebuttable presumption against reregistration [*since 1985, known as Special Review*], notice of intent to cancel, or notice of intent to suspend has been issued by USEPA, The Threshold Decision will provide for the preparation of an Environmental Assessment or Environmental Impact Statement, as appropriate (§216.6(a)). The EA or EIS shall include, but not be limited to, an analysis of the factors identified in §216.3(b)(1)(i) above.

(iv) Notwithstanding the provisions of §216.3(b)(1)(i) through (iii) above, if the project includes assistance for the procurement or use, or both, of a pesticide against which USEPA has initiated a regulatory action for cause, or for which it has issued a notice of rebuttable presumption against reregistration, the nature of the action or notice, including the relevant technical and scientific factors will be discussed with the requesting government and considered in the IEE and, if prepared, in the EA or EIS. If USEPA initiates any of the regulatory actions above against a pesticide subsequent to its evaluation in an IEE, EA or EIS, the nature of the action will be discussed with the recipient government and considered in an amended IEE or amended EA or EIS, as appropriate.

(v) If the project includes assistance for the procurement or use, or both of pesticides but the specific pesticides to be procured or used cannot be identified at the time the IEE is prepared, the procedures outlined in §216.3(b)(i) through (iv) will be followed when the specific pesticides are identified and before procurement or use is authorized. Where identification of the pesticides to be procured or used does not occur until after Project Paper approval, neither the procurement nor the use of the pesticides shall be undertaken unless approved, in writing, by the Assistant Administrator (or in the case of projects authorized at the Mission level, the Mission Director) who approved the Project Paper.

(2) Exceptions to Pesticide Procedures. The procedures set forth in §216.3 (b)(i) shall not apply

to the following projects including assistance for the procurement or use, or both, of pesticides.

(i) Projects under emergency conditions. Emergency conditions shall be deemed to exist when it is determined by the Administrator, A.I.D., in writing that:

(a) A pest outbreak has occurred or is imminent; and

(b) Significant health problems (either human or animal) or significant economic problems will occur without the prompt use of the proposed pesticide; and

(c) Insufficient time is available before the pesticide must be used to evaluate the proposed use in accordance with the provisions of this regulation.

(ii) Projects where A.I.D. is a minor donor, as defined in §216.1(c)(12) above, to a multi-donor project.

(iii) Projects including assistance for procurement or use, or both, of pesticides for research or limited field evaluation purposes by or under the supervision of project personnel. In such instances, however, A.I.D. will ensure that the manufacturers of the pesticides provide toxicological and environmental data necessary to safeguard the health of research personnel and the quality of the local environment in which the pesticides will be used. Furthermore, treated crops will not be used for human or animal consumption unless appropriate tolerances have been established by EPA or recommended by FAO/WHO, and the rates and frequency of application, together with the prescribed preharvest intervals, do not result in residues exceeding such tolerances. This prohibition does not apply to the feeding of such crops to animals for research purposes.

(3) Non-Project Assistance. In a very few limited number of circumstances A.I.D. may provide non-project assistance for the procurement and use of pesticides. Assistance in such cases shall be provided if the A.I.D. Administrator determines in writing that

(i) emergency conditions, as defined in §216.3(b)(2)(i) above exist; or

(ii) that compelling circumstances exist such that failure to provide the proposed assistance

would seriously impede the attainment of U.S. foreign policy objectives or the objectives of the foreign assistance program. In the latter case, a decision to provide the assistance will be based to the maximum extent practicable, upon a consideration of the factors set forth in §216.3(b)(1)(i) and, to the extent available, the history of efficacy and safety covering the past use of the pesticide the in recipient country.

§216.4 PRIVATE APPLICANTS

Programs, projects or activities for which financing from A.I.D. is sought by private applicants, such as PVOs and educational and research institutions, are subject to these procedures. Except as provided in §216.2(b), (c) or (d), preliminary proposals for financing submitted by private applicants shall be accompanied by an Initial Environmental Examination or adequate information to permit preparation of an Initial Environmental Examination. The Threshold Decision shall be made by the Mission Director for the country to which the proposal relates, if the preliminary proposal is submitted to the A.I.D. Mission, or shall be made by the officer in A.I.D. who approves the preliminary proposal. In either case, the concurrence of the Bureau Environmental Officer is required in the same manner as in §216.3(a)(2), except for PVO projects approved in A.I.D. Missions with total life of project costs less than \$500,000. Thereafter, the same procedures set forth in §216.3 including as appropriate scoping and Environmental Assessments or Environmental Impact Statements, shall be applicable to programs, projects or activities submitted by private applicants. The final proposal submitted for financing shall be treated, for purposes of these procedures, as a Project Paper. The Bureau Environmental Officer shall advise private applicants of studies or other information foreseeably required for action by A.I.D.

§216.5 ENDANGERED SPECIES

It is A.I.D. policy to conduct its assistance programs in a manner that is sensitive to the protection of endangered or threatened species and their critical habitats. The Initial Environmental Examination for each project, program or activity having an effect on the environment shall specifically determine whether the project, program or activity will have an effect on an endangered or threatened species, or critical

habitat. If the proposed project, program or activity will have the effect of jeopardizing an endangered or threatened species or of adversely modifying its critical habitat, the Threshold Decision shall be a Positive Determination and an Environmental Assessment or Environmental Impact Statement completed as appropriate, which shall discuss alternatives or modifications to avoid or mitigate such impact on the species or its habitat.

§216.6 ENVIRONMENTAL ASSESSMENTS

(a) General Purpose

The purpose of the Environmental Assessment is to provide Agency and host country decision-makers with a full discussion of significant environmental effects of a proposed action. It includes alternatives which would avoid or minimize adverse effects or enhance the quality of the environment so that the expected benefits of development objectives can be weighed against any adverse impacts upon the human environment or any irreversible or irretrievable commitment of resources.

(b) Collaboration with Affected Nation on Preparation

Collaboration in obtaining data, conducting analyses and considering alternatives will help build an awareness of development associated environmental problems in less developed countries as well as assist in building an indigenous institutional capability to deal nationally with such problems. Missions, Bureaus and Offices will collaborate with affected countries to the maximum extent possible, in the development of any Environmental Assessments and consideration of environmental consequences as set forth therein.

(c) Content and Form

The Environmental Assessment shall be based upon the scoping statement and shall address the following elements, as appropriate:

(1) Summary. The summary shall stress the major conclusions, areas of controversy, if any, and the issues to be resolved.

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(2) Purpose. The Environmental Assessment shall briefly specify the underlying purpose and need to which the Agency is responding in proposing the alternatives including the proposed action.

(3) Alternatives Including the Proposed Action. This section should present the environmental impacts of the proposal and its alternatives in comparative form, thereby sharpening the issues and providing a clear basis for choice among options by the decision-maker. This section should explore and evaluate reasonable alternatives and briefly discuss the reasons for eliminating those alternatives which were not included in the detailed study; devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits; include the alternative of no action; identify the Agency's preferred alternative or alternatives, if one or more exists; include appropriate mitigation measures not already included in the proposed action or alternatives.

(4) Affected Environment. The Environmental Assessment shall succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration. The descriptions shall be no longer than is necessary to understand the effects of the alternatives. Data and analyses in the Environmental Assessment shall be commensurate with the significance of the impact with less important material summarized, consolidated or simply referenced.

(5) Environmental Consequences. This section forms the analytic basis for the comparisons under paragraph (c)(3) of this section. It will include the environmental impacts of the alternatives including the proposed action; any adverse effects that cannot be avoided should the proposed action be implemented; the relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity; and any irreversible or irretrievable commitments of resources which would be involved in the proposal should it be implemented. It should not duplicate discussions in paragraph (c)(3) of this section. This section of the Environmental Assessment should include discussions of direct effects and their significance; indirect effects and their significance; possible conflicts between the proposed action and land use plans, policies and controls for the areas concerned; energy requirements and conservation potential of various alternatives and mitigation

measures; natural or depletable resource requirements and conservation potential of various requirements and mitigation measures; urban quality; historic and cultural resources and the design of the built environment, including the reuse and conservation potential of various alternatives and mitigation measures; and means to mitigate adverse environmental impacts.

(6) List of Preparers. The Environmental Assessment shall list the names and qualifications (expertise, experience, professional discipline) of the persons primarily responsible for preparing the Environmental Assessment or significant background papers.

(7) Appendix. An appendix may be prepared.

(d) Program Assessment

Program Assessments may be appropriate in order to assess the environmental effects of a number of individual actions and their cumulative environmental impact in a given country or geographic area, or the environmental impacts that are generic or common to a class of agency actions, or other activities which are not country-specific. In these cases, a single, programmatic assessment will be prepared in A.I.D./Washington and circulated to appropriate overseas Missions, host governments, and to interested parties within the United States. To the extent practicable, the form and content of the programmatic Environmental Assessment will be the same as for project Assessments. Subsequent Environmental Assessments on major individual actions will only be necessary where such follow-on or subsequent activities may have significant environmental impacts on specific countries where such impacts have not been adequately evaluated in the programmatic Environmental Assessment. Other programmatic evaluations of class of actions may be conducted in an effort to establish additional categorical exclusions or design standards or criteria for such classes that will eliminate or minimize adverse effects of such actions, enhance the environmental effect of such actions or reduce the amount of paperwork or time involved in these procedures. Programmatic evaluations conducted for the purpose of establishing additional categorical exclusions under §216.2(c) or design considerations that will eliminate significant effects for classes of actions shall be made available for public comment before the

categorical exclusions or design standards or criteria are adopted by A.I.D. Notice of the availability of such documents shall be published in the Federal Register. Additional categorical exclusions shall be adopted by A.I.D. upon the approval of the Administrator, and design consideration in accordance with usual agency procedures.

(e) Consultation and Review

(1) When Environmental Assessments are prepared on activities carried out within or focused on specific developing countries, consultation will be held between A.I.D. staff and the host government both in the early stages of preparation and on the results and significance of the completed Assessment before the project is authorized.

(2) Missions will encourage the host government to make the Environmental Assessment available to the general public of the recipient country. If Environmental Assessments are prepared on activities which are not country specific, the Assessment will be circulated by the Environmental Coordinator to A.I.D.'s Overseas Missions and interested governments for information, guidance and comment and will be made available in the U.S. to interested parties.

(f) Effect in Other Countries

In a situation where an analysis indicates that potential effects may extend beyond the national boundaries of a recipient country and adjacent foreign nations may be affected, A.I.D. will urge the recipient country to consult with such countries in advance of project approval and to negotiate mutually acceptable accommodations.

(g) Classified Material

Environmental Assessments will not normally include classified or administratively controlled material. However, there may be situations where environmental aspects cannot be adequately discussed without the inclusion of such material. The handling and disclosure of classified or administratively controlled material shall be governed by 22 CFR Part 9. Those portions of an Environmental Assessment which are not classified or administratively controlled will be made available to persons outside the Agency as provided for in 22 CFR Part 212.

§216.7 ENVIRONMENTAL IMPACT STATEMENTS

(a) Applicability

An Environmental Impact Statement shall be prepared when agency actions significantly affect:

- (1) The global environment or areas outside the jurisdiction of any nation (e.g., the oceans);
- (2) The environment of the United States; or
- (3) Other aspects of the environment at the discretion of the Administrator.

(b) Effects on the United States: Content and Form

An Environmental Impact Statement relating to paragraph (a)(2) of this section shall comply with the CEQ Regulations. With respect to effects on the United States, the terms environment and significant effect wherever used in these procedures have the same meaning as in the CEQ Regulations rather than as defined in §216.1(c)(12) and (13) of these procedures.

(c) Other Effects: Content and Form

An Environmental Impact Statement relating to paragraphs (a)(1) and (a)(3) of this section will generally follow the CEQ Regulations, but will take into account the special considerations and concerns of A.I.D. Circulation of such Environmental Impact Statements in draft form will precede approval of a Project Paper or equivalent and comments from such circulation will be considered before final project authorization as outlined in §216.3 of these procedures. The draft Environmental Impact Statement will also be circulated by the Missions to affected foreign governments for information and comment. Draft Environmental Impact Statements generally will be made available for comment to Federal agencies with jurisdiction by law or special expertise with respect to any environmental impact involved, and to public and private organizations and individuals for not less than forty-five (45) days. Notice of availability of the draft Environmental Impact Statements will be published in the Federal Register. Cognizant Bureaus and Offices will submit these drafts for

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circulation through the Environmental Coordinator who will have the responsibility for coordinating all such communications with persons outside A.I.D. Any comments received by the Environmental Coordinator will be forwarded to the originating Bureau or Office for consideration in final policy decisions and the preparation of a final Environmental Impact Statement. All such comments will be attached to the final Statement, and those relevant comments not adequately discussed in the draft Environmental Impact Statement will be appropriately dealt with in the final Environmental Impact Statement. Copies of the final Environmental Impact Statement, with comments attached, will be sent by the Environmental Coordinator to CEQ and to all other Federal, state, and local agencies and private organizations that made substantive comments on the draft, including affected foreign governments. Where emergency circumstances or considerations of foreign policy make it necessary to take an action without observing the provisions of §1506.10 of the CEQ Regulations, or when there are overriding considerations of expense to the United States or foreign governments, the originating Office will advise the Environmental Coordinator who will consult with Department of State and CEQ concerning appropriate modification of review procedures.

§216.8 PUBLIC HEARINGS

(a) In most instances AID will be able to gain the benefit of public participation in the impact statement process through circulation of draft statements and notice of public availability in CEQ publications. However, in some cases the Administrator may wish to hold public hearings on draft Environmental Impact Statements. In deciding whether or not a public hearing is appropriate, Bureaus in conjunction with the Environmental Coordinator should consider:

(1) The magnitude of the proposal in terms of economic costs, the geographic area involved, and the uniqueness or size of commitment of the resources involved;

(2) The degree of interest in the proposal as evidenced by requests from the public and from Federal, state and local authorities, and private organizations and individuals, that a hearing be held;

(3) The complexity of the issue and likelihood that information will be presented at the hearing which will be of assistance to the Agency; and

(4) The extent to which public involvement already has been achieved through other means, such as earlier public hearings, meetings with citizen representatives, and/or written comments on the proposed action.

(b) If public hearings are held, draft Environmental Impact Statements to be discussed should be made available to the public at least fifteen (15) days prior to the time of the public hearings, and a notice will be placed in the Federal Register giving the subject, time and place of the proposed hearings.

§216.9 BILATERAL AND MULTILATERAL STUDIES AND CONCISE REVIEWS OF ENVIRONMENTAL ISSUES

Notwithstanding anything to the contrary in these procedures, the Administrator may approve the use of either of the following documents as a substitute for an Environmental Assessment (but not a substitute for an Environmental Impact Statement) required under these procedures:

(a) Bilateral or multilateral environmental studies, relevant or related to the proposed action, prepared by the United States and one or more foreign countries or by an international body or organization in which the United States is a member or participant; or

(b) Concise reviews of the environmental issues involved including summary environmental analyses or other appropriate documents.

§216.10 RECORDS AND REPORTS

Each Agency Bureau will maintain a current list of activities for which Environmental Assessments and Environmental Impact Statements are being prepared and for which Negative Determinations and Declarations have been made. Copies of final Initial Environmental Examinations, scoping statements, Assessments and Impact Statements will be available to interested Federal agencies upon request. The cognizant Bureau will maintain

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a permanent file (which may be part of its normal project files) of Environmental Impact Statements, Environmental Assessments, final Initial Environmental Examinations, scoping statements, Determinations and Declarations which will be available to the public under the Freedom of Information Act. Interested persons can obtain information or status reports regarding Environmental Assessments and Environmental Impact Statements through the A.I.D. Environmental Coordinator.

(22 U.S.C. 2381; 42 U.S.C. 4332)

Dated October 9, 1980

Joseph C. Wheeler

Acting Administrator

B.2 Excerpts from official FY 2003 DAP Guidance regarding environmental compliance

This section contains official fiscal year 2003 guidance issued by USAID regarding environmental compliance requirements for DAP (Development Activity Proposal) submission and amendment. This guidance applies to Title II Cooperating Sponsors submitting DAP proposals.

United States Agency For International Development. Bureau For Humanitarian Response, Office Of Food For Peace (Usaid/BDCHA/Ffp), Development Programs Team. *P.L. 480 Title II Guidelines For FY 2003 Development Assistance Programs: DAP Proposals and DAP Amendments*. October 30, 2001

“Annex F: Environmental Review and Compliance Information”

I. Background on Regulation 16

USAID's Environmental Procedures (known as 22 CFR 216 or Reg. 16) are meant to ensure that (1) the environmental consequences of USAID-funded activities are identified during the design stage, and that these consequences are considered prior to funding approvals and a decision to proceed with activity implementation; and (2) if possible, activities are identified that preserve or restore the natural resource base where the activity is located.

II. Title II Compliance with Regulation 16

Compliance with USAID's Environmental Procedures (known as 22 CFR 216 or Reg. 16) is required of all Title II development activities, whether they are supported by food assistance or Section 202(e) funding. All Title II Development assistance program proposals should include an Initial Environmental Examination (IEE) with their proposal. If the IEE of the original DAP was cleared without conditions or a categorical exclusion was granted, the CS should only state "No changes" in the Environmental Compliance section of the CSR4 submission.

In all other situations, the CS should include, as an appendix to the CSR4, an Environmental Status Report (ESR) detailing the actions they have undertaken with regards to the previously approved IEE. The ESR should indicate whether mitigation plans are on schedule and detail the monitoring and evaluation measures being undertaken by the Cooperating Sponsor. The ESR face sheet must be signed by either the Mission Environmental Officer or the Food for Peace Officer. It should include an Environmental Status Report detailing the actions they have undertaken with regards to their previously approved IEE. This status report may be between 2-10 pages and should indicate if mitigation plans are on schedule and should detail the monitoring and evaluation measures being carried out by the Cooperating Sponsor. However, if a CS's submission contains changes that require a DAP amendment, an IEE amendment may need to be submitted with the DAP amendment. Please see sections A through D below for further details.

Cooperating Sponsors are encouraged to seek Mission review and clearance on DAP IEEs prior to official submission of the proposal to FFP/Washington. The same is true for CSR4 ESRs and IEE amendments for CSR4s or DAP amendments. Environmental documentation, marked draft, may be submitted informally through the Mission to the Bureau Environmental Officer. If environmental documentation is submitted with the DAP proposal, DAP amendment or R4 without having been cleared by the Mission, the CS should insure that it is clearly labeled as "draft -- not cleared by Mission." All draft Reg. 16 documentation must be returned to the Mission for required clearance and the Mission may request revisions to ensure that Mission objectives, consideration of local conditions and consistency with environmental documentation of other Sponsors in the same country is achieved.

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A. New DAPs. To meet this requirement, all DAP proposals must include an IEE, which must be cleared by the Mission Director or his/her designate. A statement as to whether the Mission concurs/does not concur with the CS's ESR (if applicable) should be included in the Mission's approval/comments cable to FFP. The CS is expected to submit the cleared document with their operational plan to FFP for clearance. FFP will obtain clearance from the FFP Director and forward the IEE to the BDCHA Bureau environmental Officer (BEO) for final concurrence. Note however, that if CSs and Missions are interested in getting feedback from the BDCHA, Geographic BEOs or a Regional Environmental Officer (REO) on a draft IEE prior to formal submission, they are encouraged to submit a copy for informal review to one or both BEOs or to the REO, where they exist. An IEE face sheet should accompany the IEE.

B. DAP Amendments. All DAP amendments must include an IEE amendment if a change has occurred from what was submitted in the original IEE. The same clearance process is followed as described above for DAP proposals. If no change has occurred, the process as described below for CSR4s should be followed.

C. Cooperating Sponsor CSR4 Submission. If the IEE of the proposal was cleared without conditions or a categorical exclusion was granted, the CS should only state "No changes" in the Environmental Compliance section of the CSR4.

In all other situations, the CS should include an Environmental Status Report as an appendix to the CSR4, detailing the actions they have undertaken or that need to be taken with regard to the previously approved IEE or Environmental Assessment /Programmatic Environmental Assistance where they might exist. In 2-10 pages, the ESR should indicate whether steps need to be taken to modify previous environmental documentation and whether conditions are being met (e.g., mitigation plans are on schedule and monitoring and evaluation measures are being undertaken by the Cooperating Sponsor). The CSs should include a matrix, or chart, in the ESR outlining that mitigation plans are being implemented as submitted in previous environmental documentation, (i.e. the IEE). An ESR face sheet is used for IEE amendments.

D. Deferrals. For those Cooperating Sponsors who received a deferral on one or more aspects of their program from the BDCHA Bureau Environmental Officer, an amended IEE should be included with their following year's CSR4 to resolve each deferral or indicate that the activity will not be conducted, if that is the case.

III. IEE Preparation Resources

While these guidelines take precedence, The Environmental Documentation Manual also provides guidance on completing the IEE, IEE amendment and Environmental Status Report (ESR). The Manual also covers more in-depth environmental reviews, and defines many of the environmental compliance issues and terms used in these instructions. A Field Guide to USAID Environmental Compliance Procedures is a shorter field guide. In addition to these documents, both the Mission and Bureau Environmental Officers, and where they exist, Regional Environmental Officers, should be consulted.

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Annex C: Environmental Compliance Forms and Documentation Formats

This section contains template forms for use in ANE projects.

Note: when using these forms as templates, replace headers and footers with ones which identify your organization/proposal.

C.1 ANE Environmental Compliance Facesheet

C.2 ANE Request for Categorical Exclusion

C.3. ANE IEE Template

C.4 Annotated ANE IEE Template

C.5 Environmental Status Report Facesheet (Title II activities)

C.6 Environmental Status Report Instructions and Format



**INITIAL ENVIRONMENTAL EXAMINATION OR
REQUEST FOR CATEGORICAL EXCLUSION**

(Cover Page)

PROGRAM/ACTIVITY DATA:

Program/Activity No:

Country/Region:

Program/Activity Title:

Funding Begin:

Funding End:

LOP Amount:

Sub-Activity Amount:

Prepared by:

Date:

IEE/CE Amendment (Y/N): If "Yes," Number @ Date of Original IEE

ENVIRONMENTAL ACTION RECOMMENDED: (Place X where applicable)

Categorical Exclusion:

Negative Determination: *

Positive Determination:

Deferral:

*NOTE: negative determinations may include and be contingent upon mitigation and monitoring conditions specified in the IEE

Brief Description of Proposed Activity(ies):

Mission Approval (must include Mission Director or designee):

Mission Director: _____ (signed)

Date:



REQUEST FOR CATEGORICAL EXCLUSION

A. PROGRAM/ACTIVITY DATA:

Program/Activity No:

Country/Region:

Program/Activity Title:

B. BACKGROUND AND ACTIVITY DESCRIPTION

Provide more in-depth information than what was provided on the cover sheet, especially if activities are relatively diverse, complex, and likely to operate for several years. You must provide sufficient information for the BEO to evaluate the categorical exclusion request.

Continue on an additional page if necessary

C. JUSTIFICATION FOR CATEGORICAL EXCLUSION REQUEST

Cite appropriate language from Reg. 216, especially 22 CFR 216.2(c). Where necessary, make the case for its application to the activities described above.

Continue on an additional page if necessary

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C.3 Template Initial Environmental Examination (IEE) Outline

Program/Activity Data

Program/Activity No:

Country/Region:

Program/Activity Title:

1. Background and activity description

- 1.1 Background
- 1.2 Description of Activities

2. Country and environmental information (baseline information)

- 2.1 Locations Affected
- 2.2 National Environmental Policies and Procedures (of host country both for environmental assessment and pertaining to the sector)

3. Evaluation of environmental impact potential

4. Recommended determinations and mitigation actions (includes monitoring and evaluation)

- 4.1 Recommended IEE Determination
- 4.2 Mitigation, Monitoring, and Evaluation
- 4.3 Summary table (and summary conditions)

For Umbrella IEEs, the following might be used:

- 4.1 Recommended Planning Approach
- 4.2 Environmental Screening and Review Process
- 4.3 Promotion of Environmental Review and Capacity Building Procedures
- 4.4 Environmental Responsibilities
- 4.5 Mitigation, Monitoring, and Evaluation
- 4.6 Summary table

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C.4 Annotated IEE Outline

Program/activity data:

Program/Activity No:

Country/Region:

Program/Activity Title:

The IEE narrative can be organized around your major activity groups or categories. This works best if the activity categories are distinct, e.g., road construction, agricultural development, and irrigation works. In this case, sections 1, 3, and 4 of the IEE would each have sub-sections corresponding to the major activity groups.

Alternatively, one could write a “mini-IEE” for each activity group. This would result in separate sections 1, 3 and 4 written for each activity.

If you are preparing an “Umbrella” IEE, please refer to Annex G for a suggested outline.

1. Background and activity description

Describe why the activity is desired and appropriate, and outline the key activities proposed for Title II funding. A current activity description should be provided. Indicate whether this is an IEE amendment, or submitted for a new activity. Indicate a deferrals.

2. Country and environmental information

This section is critical and should briefly assess the current physical environment that might be affected by the activity. Depending upon the activities proposed, this could include an examination of land use, geology, topography, soil, climate, groundwater resources, surface water resources, terrestrial communities, aquatic communities, environmentally sensitive areas (e.g., wetlands or protected species), agricultural cropping patterns and practices, infrastructure and transport services, air quality, demography (including population trends/projections), cultural resources, and the social and economic characteristics of the target communities.

The information obtained through this process should serve as an environmental baseline for future environmental monitoring and evaluation. Be selective in the country and environmental information you provide, as it should be specific to the activity being proposed and more information is not necessarily better.

Finally, indicate the status and applicability of host country, Mission, and CS policies, programs and procedures in addressing natural resources, the environment, food security, and other related issues.

3. Evaluation of environmental impact potential

This section of the IEE is intended to define all potential environmental impacts of the activity or project, whether they be considered direct, indirect, beneficial, undesired, short-term, long-term, or cumulative.

4. Recommended determinations and mitigation actions (includes monitoring and evaluation)

For each proposed activity or major component recommend whether a specific intervention included in the activity should receive a categorical exclusion, negative determination (with or without conditions), positive determination, etc., as well as cite which sections of Reg. 216 support the requested determinations.

Recommend what is to be done to avoid, minimize, eliminate or compensate for environmental impacts. For activities where there are expected environmental consequences, appropriate environmental monitoring and impact indicators should be incorporated in the activity's monitoring and evaluation plan.

Finally, include a summary table (See Table 2.1) and bullet summaries of principal mitigation and monitoring conditions, if any.

TITLE II ENVIRONMENTAL STATUS REPORT FACESHEET

Title of Activity: _____
CS name _____
Country/Region: _____

Funding Period: FY _____ - FY _____

Resource Levels:

Commodities (dollar equivalent, incl. monetization): _____
Total metric tonnage request: _____

Status Report Prepared by:

Name: _____ Title _____

Date: _____

Date of Previous Status Report: _____

A. Status of the environmental documentation

Type of original documentation (circle one)	Categorical exclusion request	IEE	EA/PEA
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Date of most recent documentation: _____

_____ No revisions or modifications needed. Documentation for all activities still applicable.

_____ Amended documentation submitted, based on attached report, summary, etc.

_____ Documentation needs to be amended to cover additional or modified activities. [Note: If yes, immediately notify the MEO, REO (where one exists) or the BHR BEO.]

B. Status of Fulfilling Conditions in the IEE, including Mitigation Measures and Monitoring

_____ Environmental Status Report describing compliance measures taken is attached.

_____ For any condition that cannot be satisfied, a course of remedial action has been provided within an IEE Amendment. [Note: For conditions under an EA or PEA, consult the MEO, REO (where one exists) and/or BEO].

USAID APPROVAL OF ENVIRONMENTAL STATUS REPORT:

Clearance:

Mission Environmental Officer:* _____ Date: _____

Food For Peace Officer: _____ Date: _____

Concurrence:

Bureau Environmental Officer: _____ Date: _____

Approved: _____
Disapproved: _____

Filename: _____ (USAID/W BEO)

*or USAID Environmental Representative, if MEO does not exist.

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ADDITIONAL CLEARANCES: (Add as appropriate.; type name under signature line)

Mission Environmental Officer: _____ Date: _____

Activity Manager: _____ Date: _____
(Cognizant Technical Officer, etc.)

SO Team Leader: _____ Date: _____

Regional Environmental Officer: _____ Date: _____

C.6 Environmental Status Report Instructions and Format

In 2-10 pages or less, the Environmental Status Report should indicate whether steps need to be taken to amend previous environmental documentation and whether conditions are being met, e.g., mitigation plans are on schedule and the monitoring and evaluation measures are being undertaken by the Cooperating Sponsor. In a Mission's PAA comments and/or approval cable to BHR/FFP, the Mission should state whether it concurs with the Environmental Status Report.

Section A. Status of the IEE/Categorical Exclusion/EA or PEA

Use the answers to the following questions to determine if the status of the IEE has changed.

Use the same instructions for a Categorical Exclusion submission in the event all CS activities were Categorical Exclusions.

If any activities are covered under an EA which is typically activity or site-specific—or a broader sectoral, thematic or geographic PEA—the questions below need to be interpreted in the context of the specific activity, sector or area.

A1. Modified or New Activities:

Have new activities been added or activities substantially modified?

If yes, note what these are and reference an amended IEE, if the DAP or PAA has an approved IEE. Reference a Categorical Exclusion Document in the event the DAP or PAA required only a Categorical Exclusion Document **and** the new/modified activities are also categorically excluded. If they are not, a full IEE will need to be prepared.

Note: An amended DAP requires an IEE Amendment. Also remember that activities can be changed or added that do not require an amended DAP, but which do alter Reg. 216 threshold decisions and would require an IEE Amendment.

A2. Resolution of Deferrals:

Did the previous IEE have deferrals? List these.

State if they are being resolved through an amended IEE to be submitted with this year's PAA. If not, indicate when an amended IEE will be submitted in order to be able to go ahead with the activities.

If the deferred activities have been dropped from the sponsor's program, amend the current IEE to state that and recommend to the BEO that the deferral is no longer applicable.

A3. Conditions:

If experience has shown that conditions in the IEE cannot be complied with, note and reference an amended IEE, which discusses what substitute conditions are recommended in order to comply with the spirit of the original conditions (to avoid or reduce environmental effects).

Many conditions in IEEs relate to **Mitigation and Monitoring**. If based on Section B2 below, it proved not feasible to carry out all mitigation and monitoring and the sponsor desires to change the conditions for mitigation and monitoring spelled out in the IEE, discuss and reference an amended IEE.

A4. Amendments:

Based on the above, is an amended IEE needed?

Yes If yes, attach here. No

If the previous documentation was a Categorical Exclusion Submission, is an amended Categorical Exclusion needed to deal with new Categorical Exclusions for new activities?

Yes If yes, attach here. No Not Applicable

Is the Sponsor unable to meet recommendations and/or conditions that are part of an EA or PEA or does the Sponsor believe an EA or PEA needs to be amended to cover additional or modified activities?

Yes No Not Applicable

If yes, immediately notify the MEO, REO (where available) or the BHR BEO.

A5. Mission concurrence

Remember it is necessary to obtain the Mission's concurrence on an Environmental Status Report prior to proposal approval. Be sure to complete the ESR Facesheet. Proceed to Section B.

Section B. Status of Fulfilling Conditions in the IEE, including Mitigative Measures and Monitoring

Take this opportunity to re-evaluate your mitigation and monitoring plan. Make sure the commitments made in the IEE are doable and realistic, in other words, not beyond the capabilities and resources of the CS to implement. Mitigation and monitoring can be part of normal visits to an area to check on activities, unless specific testing, surveys or the like have been required. Alternatively, experience to date may indicate that the IEE's mitigation and monitoring plan is not sufficiently specific or is lacking in some respect. If conditions or mitigation and monitoring are part of an activity-specific EA or sectoral PEA, the instructions below still apply.

B1. List of conditions

For each component of the program, list or reproduce (as an Annex to this report) the mitigation measures and monitoring or other conditions. [For activities placed under an umbrella process according to EDM Annex F, do not reproduce the standard Environmental Screening Form and Review conditions; follow instructions at B3 below.]

B2. Compliance/implementation status

Describe status of complying with the conditions. Examples of the types of questions a Sponsor should answer to describe "status" follow.

Mitigation.

- What mitigative measures have been put in place?
- How is the successfulness of mitigative measures being determined?
- If they are not working, why not? What adjustments need to be made?

Monitoring

- What is being monitored, how frequently and where?

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- What action is being taken (as needed) based on the results of the monitoring?

Note: In some situations, a CS will need to note that the monitoring program is still being developed with intent to satisfy the conditions.

Sponsors are encouraged to construct table(s) of relevant status indicators.

For any conditions that cannot be satisfied, propose a course of remedial action and amend the IEE. In the case of an EA or PEA, consult the MEO, REO (where available), and the BHR BEO, as amending an EA or PEA is a more elaborate process.

B3. Environmental screening form activity

If the CS is using Environmental Screening Forms (ESFs) and environmental reviews, prepare: i) a table listing the ESFs prepared and submitted; ii) the Category(ies) the activity(ies) was/were placed in; and iii) whether the ESF has been approved by the MEO. For any Category 2 or above activities, the chart should include the status of the Environmental Reviews, e.g., in preparation; submitted to MEO; approved by MEO; MEO referred to REO and BEO; and the date of approval by MEO or by REO or BEO, if appropriate.

Section C. Cooperating Sponsor Recommendations for Beyond Compliance and Institutionalization of Environmentally Sound Practices

Please outline plans or recommendations (in a page or less) for institutionalizing environmentally sound design and management practices in future activities of a similar nature.

Annex D: Examples of Categorical Exclusions (CEs), Initial Environmental Examinations (IEEs), and Scoping Statements

This Annex presents ANE environmental documentation approved by the BEO. One AFR IEE is provided as an example of a fully implemented “umbrella” IEE and subgrant screening process.

Note: Because the forms and formats presented in Appendix C (“Environmental Compliance Forms and Documentation Formats”) did not exist when this sample documentation was prepared, they do not follow recommended formats precisely.

The cover sheets on each document are generated by the BEO.

D.1 “Standard” Categorical Exclusion

“Skills for Competitiveness Developed for Egypt.” (Egypt; FY01/02)

D.2. Categorical Exclusion—training for infrastructure planning

“Increased Private Sector Participation in Environmentally and Socially Sustainable Hydropower Development” (Nepal; FY01–FY05)

D.3. Mixed IEE (Cat Ex, Negative Determinations, Deferrals)

“Healthier Planned Families” (Egypt; FY02–09)

D.4 IEE w/ Negative Determination—replacement construction

“Minia City Raw Water Intake” (Egypt; FY97–FY04)

D.5 IEE w/ Positive Determination—disaster recovery

“Gujarat Earthquake Relief Initiative” (India; FY00–FY02)

D.6 Scoping statement—EA for disaster recover

“Gujarat Earthquake Relief Initiative” (India; FY00–FY02)

D.7 Scoping statement—EA for water and wastewater investments

“Middle Egypt Water and Wastewater Master Planning Project—First Stage Investment Program.” (Egypt; 2001)
(includes summary memo)

D.8 IEE amendment detailing umbrella process

“Community Services Program” (West Bank–Gaza; FY99–06)

Includes revised screening form adopted by the Community Services Program for grantee self-certification

D.9 AFR Umbrella IEE—food security activities

Catholic Relief Services/Kenya “Development Activity Proposal” (Kenya; FY97–00)

Annex E: Sample Tables and Environmental Checklists

E.1 Example Summary Table

E.2 Example Leopold Matrix

E.3 Example and Template Mitigation and Monitoring Forms

From the *TANAPA Environmental Management Plan Guidelines for Road Improvements* (September 2001) (Tanzania National Parks). Created as a result of a USAID Environmental Assessment of a roads program for Tanzania's National Parks.

Example Summary Table: Synopsis of Environmental Decisions for DAP/PAA Activities by [PVO]: FY 1998

Note 1: This is an example only. Information entered is preliminary and illustrative, based on Title II PVO=s activities in Ethiopia; it parallels the Strategic Objective and Intermediate Results (IR) structure of the DAPs, which is meant to facilitate linkage to regular planning and results reporting tools]

Note 2: % of T II = proportion of Title II resources apportioned to the line items, with subtotals if possible.]

Geographic attributes and operating principles: USAID-funded DAP activities are sited ... *[give overall details on broader distributional factors and operating principles]*

Types of Activities/ Interventions/Components: <i>[develop under sub-headings of major activities, with more detail rather than less]</i>	Geographic Distribution, Location <i>[this may be adequately addressed at top left]</i>	Sites/Projects (number, other) <i>[at lowest practical level]</i>	Scale & Quantity <i>[give as much detail as practical]</i>	Unit <i>ha, etc. [> 1 unit is poss.]</i>	% of Title II Resources	Expected Determinations <i>[preliminary only: CE, ND, or PD]</i>
IR 1: Increased Agricultural Crop Production						
Farmers training in: general agriculture, irrigation, agronomy, vegetable production, etc.	Tigray, Oromyia, SNNPR	Adama, Damota II, Kite Awalaelo, Shone, and Tiya	approx. 500 farmers trained for 3-6 days: FY 98	people	2.5	CE with provisions for training in environmental sustainability principles and practices
Agricultural extension and demonstration of improved agricultural practices (e.g., improved seeds, fertilizers, planting methods, crop protection)	Tigray, Oromyia	Adama, Kite Awalaelo	300 farmers to field days on 5 cooperative farmers= fields	number of events/ farmers	2	CE with provisions for training in environmental sustainability principles and practices
Agricultural credit provisionCtied to those trained in program	Tigray, Oromyia, SNNPR	Adama, Damota II, Kite Awalaelo, Shone, Tiya	cash to be disbursed to 1,560 farmers	funds/ number of farmers	2	CE or ND with conditions when indirect env. harm could result from lending activities
Types of Activities/ Interventions/Components: <i>[develop under sub-headings of major activities, with more detail rather than less]</i>	Geographic Distribution, Location <i>[this may be</i>	Sites/Projects (number, other) <i>[at lowest</i>	Scale & Quantity <i>[give as much detail as practical]</i>	Unit <i>[more than one is poss.]</i>	% of T II	Expected Determinations <i>[preliminary only]</i>

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	<i>adequately addressed at top left]</i>	<i>practical level]</i>				
Earth fill dam construction	Tigray, Oromia	Kite Awalaelo, Tiya	5 dams, ea. 1 M m3 capacity over 5 yrs. 2 dams, ea. 0.2 M m3 capacity, 1999 & 2000	no./cu.m	30	PD, which could be addressed through PEA, including ponds, microbasins, water supply, etc.
Diversion of river water for irrigation (Ariver diversion@)	Tigray	Kite Awalaelo	10 km diversion scheme 99-01	km	2	PD or ND with conditions
Road rehabilitation/construction - feeder roads maintenance - ford construction - small wooden bridge construction	Tigray, Oromyia Adama, Damota, Kite Awalaelo, Shone, Tiya	45 PAs	380 km of roads in and 14 small bridges will be constructed during the five years under the FFW program	km	12	ND with conditions? PEA may be done
Subtotal %						
Types of Activities/ Interventions/Components: <i>[develop under sub-headings of major activities, with more detail rather than less]</i>	Geographic Distribution, Location <i>[this may be adequately addressed at top left]</i>	Sites/Projects (number, other) <i>[at lowest practical level]</i>	Scale & Quantity <i>[give as much detail as practical]</i>	Unit <i>[more than one is poss.]</i>	% of T II	Expected Determination <i>[preliminary only]</i>
IR 2: Increased Household Income						
Farmers= training in micro-enterprises and business skills (basketry, beekeeping, agroforestry, soap and candle making, pottery, etc.)	Adama, Damota II, Shoneand Tiya in Oromia and SNNPR	90 PAs	Over 5 years, 230 farmers in beekeeping; 2,500 in agroforestry; 2,100 in IGA	no.	1.8	CE with provisions for training in environmental sustainability principles and practices
Tree crop seedling production and distribution (coffee, fruit trees)			100,000 to 1,000,000 farmers	no.	2	ND

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Subtotal %						
IR 3: Improved Health Status in Target Areas: health and nutrition education, food supplementation						
Training in nutrition, food storage and preservation					1	CE
Potable water supply Pond construction/rehabilitation			65 ponds max 40,000 cu.m	no./cu.m	5	PD or ND with conditions TBD relating to mitigation and monitoring
Types of Activities/ Interventions/Components: <i>[develop under sub-headings of major activities, with more detail rather than less]</i>	Geographic Distribution, Location <i>[this may be adequately addressed at top left]</i>	Sites/Projects (number, other) <i>[at lowest practical level]</i>	Scale & Quantity <i>[give as much detail as practical]</i>	Unit <i>[more than one is poss.]</i>	% of T II	Expected Determinations <i>[preliminary only]</i>
Drilling bore holes	Adama, Kilte Awlaelo and Shone in Tigray; Oromia and SNNPR	35 PAs	35 bore holes; 2 with 150 m depth at Adama; 3 @ 120 m depth at Shone and 30 with 60 m depth at Kilte Awlaelo during 5 yrs.	no.; m depth	4	ND with conditions relating to aquifer protection, use of proper engineering; water committees will be formed and trained
Water management committees formed and functioning; linked to bore hole, water supply activities				no.	2	CE with provisions for training in environmental sustainability principles and practices
Constructing demo latrines		Tiya	5 in 1997	no.	0.5	CE with provisions for hygiene mitigation

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Subtotal %						
IR 4: Natural Resource Base Maintained						
Farmer training (soil and water conservation techniques, mud technology, fuel efficient mud stove making, etc.)					2	CE with provisions for training in environmental sustainability principles and practices
Tree seedling production/nurseries		... community nurseries, PVO	11.5 M seedlings	no.	2.5	CE or ND w/good practices and technical accuracy
Tree seedling planting		... sites	11.4 Million	no.	2	ND without conditions
Hillside terrace construction		.. sites	370 km during 5 yrs.	km	4	ND with conditions involving a subsequent screening and review process with mitigation measures identified
Hillside terrace maintenance		.. sites	3000	km	2	ND with conditions
Check dam construction		.. sites	25	no.	2	ND with conditions
Soil bund construction		.. sites	1990	km	3	ND with conditions
Microbasin construction for tree establishment		.. sites	125,000 basins max 2 sq.m. in 1998- 99	no.	1	ND with conditions
Biological conservation measures (area closure, living mulches, etc.)		59 sites	50 closures of avg. 100 ha	no.	3	ND with conditions: activities must be defined and separately screened
Subtotal %						
IR 5: Emergency Response Capacity Maintained						

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Studies and plans			5	no.	0.5	
Subtotal %						
Grand Total %						

Acronyms: ADP: Area Development Program; CE: Categorical Exclusion; EA: Environmental Assessment; ND: Negative Determination; PD: positive Determination; PA: Peasant Associations; PEA: Programmatic Environmental Assessment; TBD: to be determined.

Annex E.2: Sample Road Improvements Environmental Impact Matrix

Legend

Adverse Impact Level	Beneficial Impact Level
▶	Low ▶
▶	Medium ▶
▶	High ▶

Impact Category P	Physical Resources										Ecological Systems							Landscape				Socio-Economic																												
	Soil Erosion	Debris Deposition	Siltation	Soil Compaction	Surface Runoff	Hydrology	Topography	Drainage	Wetlands	Surface Water Quantity	Surface Water Quality	Ground Water Quantity	Ground Water Quality	Habitat Change	Species Diversity	Alien Species	Vegetation	Poaching	Wildlife Movement	Animal Harassment	Ecological Function	Exceptional Resources	Tropical Forest	Scenic Quality	Wilderness Quality	Viewshed	Carrying Capacity	Visitor Experience	Human Settlement	Compatibility w/ Policies	Cost to Agency	Benefit to Agency	Costs to Communities	Benefits to Communities	Health	Disease Vectors	Noise Levels	Dust Levels	Risks/Hazards	Employment	Local Economy	Tourist Industry								
Activities B																																																		
Construction																																																		
Vegetation clearing	▼	▼	▼	▼	▼				▼	▼	▼	▼		▼	▼		▼		▼		▼	▼	▼		▼	▼	▼		▼						▼				▼	▼	▼	▼								
Construction camp	▼		▼	▼	▼				▼	▼	▼		▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼					
Quarry management	▼		▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼				
Trucking gravel	▼		▼	▼	▼					▼					▼	▼			▼	▼			▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼			
Cutting & filling	▼		▼	▼	▼	▼	▼	▼	▼	▼	▼			▼	▼		▼		▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼		

Impact Category \mathcal{D}	Physical Resources												Ecological Systems							Landscape				Socio-Economic																				
	Soil Erosion	Debris Deposition	Siltation	Soil Compaction	Surface Runoff	Hydrology	Topography	Drainage	Wetlands	Surface Water Quantity	Surface Water Quality	Ground Water Quantity	Ground Water Quality	Habitat Change	Species Diversity	Alien Species	Vegetation	Poaching	Wildlife Movement	Animal Harassment	Ecological Function	Exceptional Resources	Tropical Forest	Scenic Quality	Wilderness Quality	Viewshed	Carrying Capacity	Visitor Experience	Human Settlement	Compatibility w/ Policies	Cost to Agency	Benefit to Agency	Costs to Communities	Benefits to Communities	Health	Disease Vectors	Noise Levels	Dust Levels	Risks/Hazards	Employment	Local Economy	Tourist Industry		
Off-road driving	▼		▼	▼	▼	▼		▼	▼		▼		▼	▼		▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼	▼		▼	▼	▼							▼	▼				▼	
De-commissioning																																												
Ripping old road	▼		▼		▼			▼	▼	▼	▼	▼			▼						▼				▼	▼	▼				▼	▼												
Shaping	▼		▼	▼	▼		▼	▼	▼	▼	▼			▼	▼	▼					▼		▼	▼	▼	▼	▼			▼	▼							▼		▼	▼			
Revegetation	▼		▼		▼	▼	▼	▼	▼	▼	▼	▼		▼	▼	▼					▼		▼	▼	▼	▼	▼			▼	▼							▼		▼				

**Table 4. TANAPA Environmental Mitigation/Enhancement Form for Road Improvements
for Serengeti National Park [SAMPLE ONLY]
(To be submitted with annual *Environmental Management Workplan*)**

Adverse Impact Description: **Soil Erosion**Impact No. 1Year: 2001

Road Segment (junction to junction or road name): _____

No.	a. Description of Mitigation/Enhancement Measure	b. Description of Needed Followup	c. Followup Dates	d. Unit(s)/ Individuals Responsible (Initials)		e. Cost high(h); medium (m); low(l); very low (vl)	f. Mitigation Achieved (If yes, provide date. If no, elaborate below))
				Unit	Indiv		
1.1	Planning and Design						
1.11	Develop and provide TANAPA design stands to control erosion	Quarterly Review of Progress		TANAPA Headquarters Engineering and Planning Manager		L-M	
1.12	Develop standards for following contours, avoiding gradients greater than 10%, or long downhill straight stretches	Quarterly Review of Progress		TANAPA Headquarters Engineering and Planning Manager		L-M	
1.13	Use a multidisciplinary team in selecting new routes	On-going		ER Coordinator And TANAPA Planning Manager			
1.2	Construction						
1.2.1	Minimize amount of clearing			Works		L	
1.2.2	Limit earth moving to dry seasons			Works		L	

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No.	a. Description of Mitigation/Enhancement Measure	b. Description of Needed Followup	c. Followup Dates	d. Unit(s)/ Individuals Responsible (Initials)	e. Cost high(h); medium (m); low(l); very low (vl)	f. Mitigation Achieved (If yes, provide date. If no, elaborate below))
1.2.3	Protect disturbed areas			Works	M	
1.2.4	Store topsoil for respreading			Works	L	
1.2.5	Installation of temporary erosion protection	Check to see protection is still in place		Works	M	
1.2.6	Installation of permanent erosion protection	Check to see protection is still in place		Works	H	
1.2.7	Revegetation of disturbed areas	Check to see reveg doing OK		Works	M	
1.2.8	More drainage turnouts as required based on erosion	Clean as required		Works	M	
1.2.9	Drainage check dams as required based on erosion	Repair as required		Works	M	
1.2.10	Higher quality murrum or surfacing based on continuing road damage			Works	H	
1.2.11	Sufficient culverts for good distribution of surface runoff			Works	M	
1.2.12	Minimize cuts/fills in sensitive areas (wetlands)			Works	H	
1.2.13	Install oil/water separators for maintenance yard surface runoff			Works	H	
1.3	Operation					
1.3.1	Maintain drainage structures	Clean as required		Works	M	
1.3.2	Maintain roadway surface	Grade as required		Works	M	

Annex E.3

No.	a. Description of Mitigation/Enhancement Measure	b. Description of Needed Followup	c. Followup Dates	d. Unit(s)/ Individuals Responsible (Initials)	e. Cost high(h); medium (m); low(l); very low (vl)	f. Mitigation Achieved (If yes, provide date. If no, elaborate below))
1.3.3	Close roads that may be damaged during wet season			WIC	H	
1.3.4	Use higher grade murrum on heavily-used route			Works	H	
1.3.5	Temporarily close road to allow environment to recuperate			WIC	H	
1.3.6	Install/maintain water-catchment trenches	Clean as required		Works	M	
1.3.7	Fill potholes, remove downed trees/limbs	As required		Works	M	
1.3.8	Control fuel/oil/wastes to prevent water contamination	Inspect Yearly		Works	H	
1.3.9	Ensure drainage turnouts sufficient to allow runoff percolation	Inspect Yearly		Works	M	
1.3.10	Minimize surface water use for roads during dry season			Works	M	
1.3.11	Prewet murrum prior to dry season; store to keep damp			Works	M	
1.3.12	Monitor fuel tanks and fuel piping for leakage	Monthly		Works	M	
1.3.13	Collect/remove all waste oil	Monthly		Works	M	
1.3.14	Install concrete fueling pads			Works	H	
1.4	Decommissioning (Restoration)					
1.4.1	Reroute / decommission original road segment			WIC	H	
1.4.2	Ensure successful vegetation	Verify reveg survival		Ecologist	M	

Annex E.3

No.	a. Description of Mitigation/Enhancement Measure	b. Description of Needed Followup	c. Followup Dates	d. Unit(s)/ Individuals Responsible (Initials)	e. Cost high(h); medium (m); low(l); very low (vl)	f. Mitigation Achieved (If yes, provide date. If no, elaborate below))
1.4.3	Provide drainage/shaping as required to prevent erosion/siltation	Verify erosion not occurring		Works	M	

Problem(s) Encountered:

Nature of needed followup action:

Responsible individual for followup:

Schedule for followup:

Other comments:

Signature of Preparer: _____

Date: _____

**Table 5. TANAPA Road Improvements Environmental Monitoring Form
for Serengeti National Park [SAMPLE ONLY]
(To be submitted with annual *Environmental Management Workplan*)**

Adverse Impact Description: Soil Erosion

Impact Number: 1 Year: 2001

Road Segment (junction to junction or road name): _____

No.	a. Mitigation/Enhancement Measure/ Issues/Elements to be Monitored	b. Unit(s)/ Individuals Responsible		c. Indicator(s) For Monitoring	d. Monitoring Method Used	e. Monitoring Frequency	f. Monitoring Cost high(h); medium (m); low(l); very low (vl)	g. Problem Encountered Check if yes, and elaborate below	h. Monitor Date(s):
		Unit	Indiv						
	Design								
	Construction								
1	Minimize amount of clearing	Works		Erosion	Visual inspection	daily	L		
2	Limit earth moving to dry seasons	Works		Erosion	Visual inspection	daily	L		
3	Restore disturbed areas	Works		Erosion	Visual inspection	Start, midterm, finish	M		
4	Store topsoil for respreading	Works		Erosion	Visual inspection	Start, midterm, finish	L		
5	Installation of temporary erosion protection	Works		Erosion	Visual inspection	Start, midterm, finish	H		

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No.	a. Mitigation/Enhancement Measure/ Issues/Elements to be Monitored	b. Unit(s)/ Individuals Responsible	c. Indicator(s) For Monitoring	d. Monitoring Method Used	e. Monitoring Frequency	f. Monitoring Cost high(h); medium (m); low(l); very low (vl)	g. Problem Encountered Check if yes, and elaborate below	h. Monitor Date(s):
					finish			
6	Installation of permanent erosion protection	Works	Erosion	Visual inspection	Start, midterm, finish	H		
7	Revegetation of disturbed areas	Ecologist	Reveg and erosion	Visual inspection	Start, midterm, finish	M		
8	Reroute / decommission original road segment	Ecologist	Reveg and erosion	Visual inspection	Start, finish, +1 year	L		
9	More drainage turnouts as required based on erosion	Works	Erosion	Visual inspection	Start, finish, +1 year	M		
10	Drainage check dams as required based on erosion	Works	Erosion	Visual inspection	Start, finish, +1 year	M		
11	Higher quality murrum or surfacing based on continuing road damage	Works	Road surface deterioration	Visual inspection Visual inspection	Start, finish, +1 year	M		
12	Sufficient culverts for good distribution of surface runoff	Ecologist	Vegetative effects each side of road	Visual inspection photos	Start, finish, +1 year	M		
13	Minimize cuts/fills in sensitive areas (wetlands)	Ecologist	Vegetative effects each side of road	Visual inspection	Start, finish, +1 year	M		
14	Install oil/water separators for maintenance yard surface runoff	Works	Oil in separator	sample	monthly	M		

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No.	a. Mitigation/Enhancement Measure/ Issues/Elements to be Monitored	b. Unit(s)/ Individuals Responsible	c. Indicator(s) For Monitoring	d. Monitoring Method Used	e. Monitoring Frequency	f. Monitoring Cost high(h); medium (m); low(l); very low (vl)	g. Problem Encountered Check if yes, and elaborate below	h. Monitor Date(s):
	Operation							
15	Maintain drainage structures	Works	Erosion & siltation	Photos	yearly	M		
16	Maintain roadway surface	Works	Surface condition	Photos	yearly	M		
17	Close roads that may be damaged during wet season	Works	Surface damage	Inspect	Start of wet season	H		
18	Higher grade murrum on heavily-used route	Works	Surface condition	Photos	yearly	M		
19	Temporary road closure to allow environment to recuperate	Works	Surface condition	Photos	yearly	H		
20	Install/maintain water-catchment trenches	Works	Erosion & siltation	Photos	yearly	M		
21	Fill potholes, remove downed trees/limbs	Works	Multiple tracks	Inspect	3 months	M		
22	Fuel/oil/wastes controlled to prevent water contamination	Works	Oil on ground	Inspect	3 months	M		
23	Drainage turnouts sufficient to allow runoff percolation	Works	Erosion & siltation	Photos	yearly	M		
24	Minimize surface water use for roads during dry season	Works	Lack of surface water	Inspect	Midway through dry season	L		
25	Prewet murrum prior to dry season; store to keep damp	Works	Moisture evident	Inspect	Midway through dry	L		

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No.	a. Mitigation/Enhancement Measure/ Issues/Elements to be Monitored	b. Unit(s)/ Individuals Responsible	c. Indicator(s) For Monitoring	d. Monitoring Method Used	e. Monitoring Frequency	f. Monitoring Cost high(h); medium (m); low(l); very low (vl)	g. Problem Encountered Check if yes, and elaborate below	h. Monitor Date(s):
					season			
26	Monitor fuel tanks and fuel piping for leakage	Works	Oil on ground	Inspect	3 months	M		
27	Collect/remove all waste oil	Works	Oil on ground	Inspect	3 months	M		
28	Install concrete fueling pads	Works	Oil on ground	Inspect	3 months	M		
	Decommissioning (Restoration)							
29	Ensure successful revegetation	Ecologist	Reveg and erosion	Photos	Start, finish, +1 year	M		
30	Provide drainage/shaping as required to prevent erosion/siltation	Works	Reveg and erosion	Photos	Start, finish, +1 year	M		

Problem(s) Encountered:

Nature of needed followup action:

Responsible individual for followup:

Schedule for followup:

Other comments:

Signature of Preparer: _____ **Date:** _____

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TANAPA Road Improvements Environmental Management Plan - Mitigation Status
 (To be submitted with annual *Environmental Management Workplan*)

Adverse Impact Description: _____ Impact No. _____ Year _____

Road Segment (junction to junction or road name): _____

No.	a. Description of Mitigation/Enhancement Measure	b. Description of Needed Followup	c. Followup Dates	d. Unit(s)/ Individual(s) Responsible (Initials)		e. Cost high(h); medium (m); low(l); very low (vl)	f. Mitigation Achieved (If yes, provide date, If no, elaborate below)
				Unit	Indiv		
	Design						
	Construction						

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No.	a. Description of Mitigation/Enhancement Measure	b. Description of Needed Followup	c. Followup Dates	d. Unit(s)/ Individual(s) Responsible (Initials)		e. Cost high(h); medium (m); low(l); very low (vl)	f. Mitigation Achieved (If yes, provide date, if no, elaborate below)

Problem(s) Encountered:

Nature of needed followup action:

Responsible individual for followup:

Schedule for followup:

Other comments:

Name of Preparer (Print): _____

Title of Preparer: _____

Signature of Preparer: _____

Date: _____

TANAPA Road Improvements Environmental Management Plan - Monitoring Sheet
 (To be submitted with annual *Environmental Management Workplan*)

Adverse Impact Description: _____ **Impact No.** _____ **Year** _____

Road Segment (junction to junction or road name): _____

No.	a. Description of Mitigation/ Enhancement Measure/Issues/ Elements to be Monitored	b. Unit(s)/ Individual(s) Responsible (Initials)		c. Indicator(s) Used for Monitoring	d. Monitoring Method Used	e. Monitoring Frequency Needed	f. Monitoring Cost High(h) Medium (m) Low(l) Very low (vl)	g. Problem Encountered Check if yes, elaborate below	h. Dates Monitored
		Unit	Indiv						
	Design								
	Construction								

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No.	a. Description of Mitigation/ Enhancement Measure/Issues/ Elements to be Monitored	b. Unit(s)/ Individual(s) Responsible (Initials)		c. Indicator(s) Used for Monitoring	d. Monitoring Method Used	e. Monitoring Frequency Needed	f. Monitoring Cost High(h) Medium (m) Low(l) Very low (vl)	g. Problem Encountered Check if yes, elaborate below	h. Dates Monitored
	Decommissioning (Restoration)								

Problem(s) Encountered:

Nature of needed followup action:

Responsible individual for followup:

Schedule for followup:

Other comments:

Name of Preparer (Print): _____

Title of Preparer: _____

Signature of Preparer: _____

Date: _____

Annex F: Programmatic Environmental Assessment (PEAs)

F.1 What Are Programmatic Assessments?

Programmatic Approaches

Occasionally it is necessary and/or helpful to carry out an environmental assessment a sector (agriculture, road construction, etc.) or a larger program that will eventually contain several projects or sub-grants. Such an overall assessment is known as a Programmatic Environmental Assessment (PEA) and can serve as a general assessment of a sector or provide the basis for future environmental reviews, at either project or sub-project level.

The basis for PEAs lies in Section 216.6(d) of Reg. 216:

(d) PROGRAM ASSESSMENT: Program Assessments may be appropriate in order to:

- assess the environmental effects of a number of individual actions and their cumulative environmental impact in a given country or geographic area, or*
- the environmental impacts that are generic or common to a class of agency actions, or*
- other activities which are not country-specific.*

In these cases, a single, programmatic assessment will be prepared in A.I.D./Washington and circulated to appropriate overseas Missions, host governments, and to interested parties within the United States. To the extent practicable, the form and content of the Programmatic Environmental Assessment will be the same as for project Assessments. Subsequent Environmental Assessments on major individuals actions will only be necessary where such follow-on or subsequent activities may have significant environmental impacts on specific countries where such impacts have not been adequately evaluated in the Programmatic Environmental Assessment. Other programmatic evaluations of classes of actions may be conducted in an effort to establish additional categorical exclusions or design standards or criteria for such classes that will eliminate or minimize adverse effects of such actions, enhance the environmental effect of such action or reduce the amount of paperwork or time involved in these procedures. Programmatic evaluations conducted for the purpose of establishing additional categorical exclusions under '216.2(c) or design considerations that will eliminate significant effects for classes of action shall be made available for public comment before the categorical exclusions or design standards or criteria are adopted by A.I.D. Notice of the availability of such document shall be published in the Federal Register. Additional categorical exclusions shall be adopted by A.I.D. upon the approval of the Administrator and design consideration in accordance with usual agency procedures.

The concept of sectoral or programmatic assessment is not new to the donor community, although USAID was the first to apply it to international development assistance. For example, the World Bank has published an outline of the essential elements of such assessments (*World Bank EA Sourcebook Update No. 4, October 1993*), which contains much basic information on the process. The description of a PEA in subsequent sections of this Annex draws heavily on the World Bank concept of sectoral assessment.

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The *World Bank EA Sourcebook* Update No. 15, June 1996, provides guidance on Regional Environmental Assessment. Regional EA in the Bank's terminology, differs from other forms of EA because of its distinct emphasis on the spatial setting, but is closely allied to Sectoral EA. The term Strategic Environmental Assessment (SEA) has gained favor as a concept to refer generically to sectoral, programmatic, policy, or regional EA. While there is considerable debate about the use of various terms, all these terms, in general, refer to forms of EA that are broader than a project-specific EA. *The International Study of Effectiveness of Environmental Assessment, Strategic Environmental Assessment*, Ministry of Housing, Spatial Planning and the Environment, Publication #53 (Sadler and Verheem, 1996) provides a comprehensive review of SEA.

Advantages of a Programmatic Approach

The following advantages of PEAs are worth highlighting:

- Sectoral EAs can prevent serious environmental impacts through analysis of sector policies and investment strategies, before major decisions are made.
- They can assist in forming a long-term view of the sector and can increase the transparency of the sectoral planning process (i.e., show the reasoning behind development plans), thereby decreasing the opportunities for purely political decisions that might be environmentally harmful.
- They are suitable for analysis of institutional, legal, and regulatory aspects related to the sector, and for making comprehensive and realistic recommendations regarding, for example, environmental standards, guidelines, law enforcement, and training, thus reducing the need for similar analysis in later EA work.
- They provide opportunities to consider alternative policies, plans, strategies or project types, taking into account their costs and benefits, particularly the environmental and social costs that are often ignored in least-cost project planning.
- PEAs help to alter or eliminate environmentally unsound investment alternatives at an early stage, thus reducing overall negative environmental impacts, while also eliminating the need for project-specific EAs for all these alternatives.
- They are well-suited to consider cumulative impacts of multiple ongoing and planned investments within a sector, as well as impacts from existing policies and policy changes.
- They are valuable for collecting and organizing environmental data into usable information and, in the process, identifying data gaps and needs at an early stage, and for outlining methods, schedules, and responsibilities for data collection and management during program or project implementation.
- They allow for comprehensive planning of general sector-wide mitigation, management, and monitoring measures, and for identifying broad institutional, resource, and technological needs at an early stage.
- They provide a basis for collaboration and coordination across sectors, and help to avoid duplication of efforts and policy contradictions between sector agencies and ministries.
- They may strengthen preparation and implementation of sub-projects by recommending criteria for environmental analysis and review, and standards and guidelines for project implementation.

F.2 When Is a PEA Approach Appropriate?

When Are PEAs Recommended instead of EAs?

An Environmental Assessment (EA) or Programmatic Environmental Assessment (PEA), in USAID=s procedures, is a document that is typically drawn up for actions that normally have a significant (adverse) effect on the environment. (If actions have a significant effect on the United States, the global environment, or areas outside the jurisdiction of a nation, an Environmental Impact Statement is prepared.)

PEAs assess the environmental effects of multiple actions and their environmental impact in a given country or geographic area in order to determine the additive, synergistic, cumulative effects of discrete activities in a development context (for example, multi-donor efforts in a particular region of a country). They may also be applied when the environmental impacts are generic or common to a class of actions, or to other activities which are not country-specific.

The PEA can serve as a reference document from which Supplemental or individual Environmental Assessments, which can be done more efficiently or with a better foundation because of the PEA, are spawned, typically called tiering. For example, the *USAID PEA for Locust and Grasshopper Control in Africa and Asia* is a classic application, from which 20 subsequent country Supplemental EAs have been tiered.

If a positive determination under USAID regulations is made with the resulting legal requirement for an EA, there is no reason to require a PEA, especially if it is likely to call for Supplemental EAs, unless such an approach makes sense. It may be more efficient to do a first EA and use it as a model for others, thus having saved at least one EA process in this way. Even better is to do one PEA and have it result in a process of environmental documentation that is simpler than the EA. When PVOs have similar activities they might want to do a PEA together with the Mission and cover broadly their common issue activity types. However, no PEA should be done without close Mission interaction and agreement about its purposes.

Based on the processes, types of impacts and recommendations made in the PEA with respect to mitigative measures and monitoring, the specific conditions appropriate to a particular setting and activity would be identified in subsequent, activity or geographic -specific IEEs. The PVOs would commit themselves to the set of conditions laid out in the IEE.

Criteria for Choosing PEA

Three situations may trigger PEA work:

The first type of situation is development of a portfolio in one particular sector (e.g., agriculture) or where there is a series of independent projects in a given sector. Types of projects in this first context may include:

- a national or sub-national sector program,
- a series of projects in the same sector,
- a large project with sectoral implications,
- a sectoral intermediate credit operation, or
- a sectoral investment operation.

The second situation would be a case where a PEA is prepared to complement the planning process. These PEAs may be triggered by USAID when a broad set of issues lies beyond the immediate purview of a project.

In the third situation, a series of issues or interventions are expected to proceed in parallel with a particular project. This PEA approach may be appropriate, for example, in sectors with a reputation for widespread and well-known environmental damage, e.g., the livestock sector or water supply efforts, where previous water drilling has led to desertification. Although the particular project supported by USAID may not create any

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significant additional problems, you may want the kind of information provided by a PEA to justify program design options.

The following questions will help identify when a sectoral approach may be particularly appropriate and useful in a project or program where Reg. 216 applies. If the answer to the following question is positive, PEA should be seriously considered:

- Is the sponsor considering any activity in a sector with significant environmental issues?
- If the answer to the next three questions is also positive, a PEA is highly recommended:
- Are there major existing environmental problems associated with the sector, and/or sector-wide potential environmental impacts resulting from the proposed program or series of projects?
- Is there a clear potential for significant environmental improvement or avoidance of major problems in the sector?
- Are there clear policy, regulatory, and/or institutional weaknesses having to do with environmental management in the sector?

In addition, some conditions increase the potential value of PEAs but are not sufficient or completely necessary requirements:

- Is the program or project still at an early planning stage or at a new major investment phase, where important strategic decisions have not yet been made?
- Are conditions in the sector relatively stable and predictable (rather than changing rapidly and unpredictably) allowing for a medium to long-term planning horizon and allowing a better chance of gaining long-term value from the PEA?
- Are the implementors likely to give weight to the findings and recommendations?

F.3 PEAs in Operation

What Should Be in a PEA?

These sections are illustrative, not required. (See sample table of contents in this Annex).

Section 1. Project Description

The nature and objectives of the program, plan, series of projects or other context to which the PEA is attached should be described, and the main environmental issues associated with the sector and these programs identified.

Section 2. Baseline Data/Affected Environment

This section should describe and evaluate the sector's current environmental situation. Where a project-specific EA would describe conditions such as ambient air and water quality or existing impacts from pollution around a proposed project site, the PEA should concentrate on the issues and problems that are typical of the sector as a whole. For example, occupational health may be a concern across enterprises within a specific industry; seepage of heavy metals into streams and groundwater may be a recurring problem in the mining sector; or deforestation may result from activities in the agriculture sector. Another important function of the PEA is to note major data gaps.

Section 3. Environmental Impacts (or Consequences)

The single most difficult challenge in PEAs is to produce a precise impact analysis in the face of uncertainties related to final investment decisions and their individual and combined impacts. In recent years, advances have

been made in the technologies for assessing cumulative impacts in relation to development plans and programs. Means include quantitative modeling, forecasting, and various qualitative analyses. If any proposed sub-project is expected to cause particularly significant impacts, the PEA should recommend an appropriate course of action to address them, including carrying out project-specific EAs.

All cumulative effects should be considered: positive and negative, direct and indirect, long-term and short-term. Aggregate problems such as sewage discharge, acid rain, ozone depletion, and deforestation usually result from several activities, sometimes stemming predominantly from a single sector. Cumulative impacts on environmentally important and sensitive areas and assets, such as coastal zones and wetlands or inland water resources, are also important when the sector activities heavily affect these areas and/or resources.

The PEA is an appropriate instrument for considering issues related to long-term sustainable development. Specifically, the PEA may discuss how a proposed investment program may influence long-term productivity of environmental resources affected by the program.

Section 4. Analysis of Alternatives (This section is often considered earlier as Section 2.)

A PEA's major purpose is to analyze alternative design options and strategies in terms of environmental costs and benefits. For example, if a proposed agricultural program emphasizes conversion of wetlands to rice production, alternative approaches would be intensification of production in existing fields, conversion of other land types, crop rotation, etc.

All major activities under consideration, in addition to the option being considered, should be considered at this stage, whether complementary or alternative to the USAID option chosen. The other options may include investments by the private and the public sectors. A comparative analysis of alternative programs is recommended, applying indicators of environmental and social impacts and methods to evaluate and compare the indicators and, ultimately, the alternative options. If several donors are involved in the sector, the PEA should review their existing and/or planned activities and suggest ways to coordinate efforts.

The PEA can also be used to evaluate the environmental effects of sector policy alternatives. For example, changes in tax and subsidy rates on the use of natural resources may influence rates and methods of extraction. If appropriate, the analysis should conclude with a list of sector proposals, ranked according to environmental preference. The analysis of impacts and alternatives should result in an optimal investment strategy, in terms of environmental and social costs and benefits.

Section 5. Mitigation Plan (This section is sometimes combined with Section 7.)

Mitigation measures are usually detailed and technical, and therefore are normally addressed in project-specific EAs. However, if planned or existing production and process technologies in a sector are relatively uniform, the PEA could recommend broad options for eliminating, reducing to acceptable levels, or mitigating environmental impacts. This is particularly important in the case of PVO/NGO-type programs where interventions tend to follow a similar pattern of design. PEA mitigation and monitoring recommendations should draw on findings from the analysis of policy, legal, and institutional issues as well as the analysis of impacts and alternatives. USAID provision of guidelines for use in several sectors is important here. Such guidelines provide environmentally sound development principles that could reduce the amount of mitigation needed later.

A PEA is an effective tool for designing and recommending mitigation measures and monitoring that can be implemented only at the national or sectoral level for regulatory or economic reasons. Similarly, in a sector program involving multiple investments, the PEA may be better placed than project-specific EAs to consider sector-wide mitigation solutions that require economies of scale to be cost-effective. Construction of a solid waste recycling plant for an entire country is one example.

Note: When specific screening and review procedures are processed, or specifications for a set of activities are defined, these form the basis of a separate chapter. For certain types of infrastructure activities, such as roads or dams, it is important to *include recommendations for the requirements to be put into bids and tenders* for construction contractors.

Section 6. Environmental Management and Training

One of a PEA's main outputs should be an institutional plan for improving environmental management in the

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sector based on findings of the previous sections. The plan might recommend training existing staff, hiring additional staff, reorganizing units or agencies, or redefining roles and responsibilities. This section might also include recommendations on policy and regulatory instruments for environmental management and enforcement in the sector. A screening process to separate sub-projects needing a project-specific EA from those not requiring further analysis should be designed, if it is not already in place.

Section 7. Environmental Monitoring Plan

The PEA should provide general guidelines for long-term, sector-wide environmental monitoring to ensure adequate implementation of investments. A monitoring plan should use the findings of the baseline data section to measure progress in mid-term review and final evaluation. The plan should also recommend measures needed to collect and organize missing data.

Section 8. Public Consultation

Public consultation is an integral part of the EA process, whether a project-specific EA or PEA is being prepared. However, since a PEA normally covers an entire sector (in a national or subnational context) and is conducted before concrete investment decisions are made, it is not always possible to consult representatives of all potentially affected people during its preparation. It is often more feasible and appropriate to carry out consultations with national NGOs (for example, for nature protection), scientific experts, relevant government agencies, and perhaps industrial and commercial interests as well. A successfully implemented consultation process will help ensure public support for the final sector program.

See the Sample Table of Contents for a Rural Road Rehabilitation PEA, at the end of this Annex.

Observations on PEA in Practice

A classic PEA is beneficial when a broad examination of a class of impacts is needed, typically in situations where previous environmental assessments have not been performed, and there is little past experience to use as a guide. The PEA serves as the document of reference, from this programmatic perspective, for subsequent Supplemental or individual Environmental Assessments, which can be done more efficiently or with a better foundation because of the PEA.

The PEA can also be useful when considering a very unusual or special ecosystem in which a variety of activities might occur and for which special considerations need to be studied, for example, a coastal zone, major wetlands ecosystem or buffer zone surrounding a protected area.

Sometimes the PEA is applied in examining the impacts of activities in a regional or geographic setting to determine the additive, synergistic, or cumulative effects of discrete activities in a development context (for example, water resource development in a state, province, or district or multi-donor efforts in a particular region of a country). This type of PEA is often referred to as a **Strategic Environmental Assessment** (see C.1.1 above). To be useful, it must consider impacts at the planning or policy level of a variety of planned and unplanned interventions undertaken by the private sector, governments, donors, etc. Thus, it typically needs to be performed or sponsored by a government that has jurisdiction over the area (or it could be an entire sector, such as power) in question.

One might call a rolled-together series of EAs in one document a PEA. Such a document could cover a set of similar activities, **if** sufficient information were known about the specific situation of each, and some processing efficiencies could be achieved. For example, if four dams with similar structural characteristics exist in the same region with similar ecosystems, one might roll the four together in one document. However, if specific characteristics were not known, then the PEA **optimally** would provide a set of generic information about dam impacts and a **procedure or process to be followed**.

The observation has been made that EAs or PEAs are better than IEEs, because they involve the host country in participation. However, there is no reason that stakeholder participation cannot occur through other levels of environmental documentation, such as an IEE. Thus, the need for public participation need not be a criterion that triggers a PEA (or an EA).

When the PEA is applied to groups of project activities in the same sector, these lessons learned merit consideration:

- PEAs are helpful when they address issues for which there is little generic information available and/or when there is substantial commonality among impacts from a project activity.
- PEAs are not *usually* useful for routine activities for which manuals of impacts and mitigative measures already exist. (*Nevertheless, there are exceptions.*)
- An EA may be needed legally for a routine activity for which manuals and the like exist, but there is no reason to require a PEA, especially if it is likely to call for Supplemental EAs. An EA of the specific intervention(s) would be as useful as, and less costly than, an ambiguous PEA that did not provide sufficient guidance on design and mitigative measures to allow future EAs to be avoided. Thus, an EA that serves as a model, or a PEA that results in simpler environmental documentation than individual EAs, is more efficient.
- Activities that are presumed to require an EA in USAID's Reg. 216, which lack reference to scale or magnitude, will need documentation, justification, or a rationale to show why an EA (or PEA) was not necessary.

Practical Considerations and Potential Obstacles

- Where USAID activities are concerned, no PEA should be considered without close Mission interaction and agreement about the purposes it will and will not serve.
- Multi-purpose/multi-sector PEAs are difficult to accomplish and should be approached carefully. They generally require a large budget. Effective PEAs for PVOs are likely to be linked to a particular sector within a delimited geographic region that has shared characteristics and other commonalities.
- PEAs should not be linked to a particular implementor, just because an element is common to all sectors. This approach does not translate into useful PEA practice. For example, you would probably not choose to do a PEA for PVO A's multiple activities. One could do a PEA more efficiently for activities of several PVOs operating within the same sector, e.g., dam and irrigation interventions of PVOs A, B and C. If the implementor is responsible for a broad set of related interventions in a sector, a PEA might be warranted for that implementor, or the PVO could have many types of interventions such that several PEAs are warranted.
- A good-quality PEA (or EA) process, from a Scope of Work through scoping, data collection, analysis, preparation, internal review, and external review typically takes up to one year. With aggressive workers and committed reviewers, six calendar months is feasible. Experience has shown that approximately six to eight person-months of effort is usually needed, with a minimum of three person-months, not counting effort for Mission Environmental Officers or Project/Results Package Managers. If document translation is required to achieve host-country participation, an additional level of effort is needed.
- PEAs should not be viewed as a convenience, but rather as a serious, analytical process that takes time to do properly. To the extent that PEAs are not necessary and are not squarely on target with respect to achieving larger purposes that can be easily and generically applied, *other forms of environmental documentation to accomplish environmentally sound and sustainable activities are to be preferred*, because they are less time-consuming, more targeted, and more useful.
- PEAs should be applied judiciously to situations in which they can be genuinely useful as a planning tool.

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Attachment to Annex F: Sample table of contents for a PEA

USAID/MADAGASCAR PROGRAMMATIC ENVIRONMENTAL ASSESSMENT OF RURAL ROAD REHABILITATION ACTIVITIES¹⁷

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¹⁷ Source: Bingham, C., E. Loken, M. Enders, S. Gupta, R. Hanchett and T. Herlehey. 1995. USAID.

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Annex G: Umbrella IEEs for “Umbrella” Projects

G.1 Umbrella projects and USAID’s Environmental Procedures

The basic procedures described in Chapters 1–4 of this manual assume that proposed activities are sufficiently well-defined that the screening process can be undertaken and, if necessary, an IEE can be prepared.

However, proposals often include activities that are *not* fully defined at the time the proposal is submitted. “Umbrella projects” are a common example of this situation. In an umbrella project, a number of small-scale activities are funded through subgrants under a larger project.

Umbrella projects are commonly used to implement community-driven development schemes. They provide a mechanism to fund community proposals for small-scale activities. They may also be used to fund micro and small enterprise subprojects.

Typically, a USAID partner organization receives overall funding for the umbrella project. The partner then functions as a subsidiary grantmaker, using a portion of the overall funding to award small-scale grants.

Under certain circumstances, however, USAID itself assumes the role of managing the subproject proposal and grant-making process.

In either case, the basic situation is the same: the project includes a large number of activities that are not well-defined at the time of the initial design and proposal. Under USAID’s Environmental Procedures as described in Chapters 1–4, all such “yet to be defined” activities must be deferred because insufficient information is available to write the IEE. And under a deferral, funds cannot be committed or expended.

Attempting to implement an umbrella projects using IEE deferrals would be difficult. Under a deferral, the IEE would need to be amended and re-approved as each sub-activity was developed. Each amendment would require approval by the USAID Bureau Environmental Officer in Washington. This would time-consuming, make the IEE so long as to unmanageable, and impose an impossible workload on USAID’s Washington Bureaus.

G.2 The “Umbrella IEE” for umbrella projects

The “Umbrella IEE” offers an alternative to the deferral. It permits projects with (1) a large number of activities that are (2) not-well-defined at the time

An Umbrella IEE is only appropriate if:

- *the proposal consists of multiple activities;*
 - *most of the activities are small-scale but not yet fully designed; and*
 - *an environmental review process can be designed that will review activities as they are designed, and substantially satisfy the requirements of Reg. 216.*
-

Umbrella IEE and rural roads activities

One particularly useful application of the “umbrella” and the ESF is with small-scale road building and repair.

A special ESF has been adapted from USAID/Tanzania, USAID/Uganda, USAID/Mozambique, USAID/Madagascar, and USAID/Cambodia-approved rural road environmental criteria.

It requires that Partners, local partners, and on-site road engineer(s) be trained to use the criteria to conduct Environmental Reviews (ER).

Annex D contains an example of an umbrella IEE applied to roads activities.

of the proposal to be implemented in an expeditious manner while maintaining compliance with Reg. 216.

The umbrella IEE process functions as follows:

- A *negative determination with conditions* is requested for the small-scale, yet-to-be-determined subgrant activities contained in the project proposal.²²
- The key condition is that a streamlined or simplified environmental review process is created for and applied to the proposed small-scale sub-activities.

This subsidiary environmental review process is applied to these small-scale activities *as they are defined* (i.e., when design and siting decision are being made).

Although simplified, this process must substantially satisfy the requirements of Reg. 216. However, most environmental review documentation is approved by the partner or the mission, not at the BEO level. BEO approval is only required when the subproject environmental review identifies activities high-risk activities or activities with significant potential for adverse impacts.

As with the Reg. 216 process, an activity cannot be implemented until the subsidiary screening and review process is complete, and the documentation has been approved.

The *existence and application* of the subsidiary environmental review process is one condition of the IEE. Other conditions include:

- Demonstrated PVO capacity to carry out environmental reviews (e.g., staff may be required to complete environmental compliance training),
- Applying environmental best practice to planning and design,
- Conducting monitoring and mitigation as appropriate, and
- Reporting on the status of environmental compliance as required or requested.

G.3 How is the subsidiary environmental review process established?

The subsidiary environmental review (ER) process established by an umbrella IEE is set out in an *Environmental Review Form (ERF) and accompanying instructions for its completion*.

The ERF instructions guide users through the subsidiary screening, review and mitigation process for each set of activities as they are designed. The

²² An IEE can contain both umbrella and non-umbrella elements. See box.

ERF and the ERF instructions are normally an integral attachment to the approved IEE.

There is no single model of an ERF. The examples presented in the attachments to this annex are meant to be specifically tailored for the requirements of a particular set of activities and a particular national or regional context.

G.4 Who has the power to approve environmental documentation of sub-activities?

Umbrella IEEs are most frequently used when a partner organization receives overall funding for an “umbrella project” that includes a sub-granting process. The Partner organization then functions as a grantmaker, reviewing proposals submitted by communities, local government or other PVOs/NGOs.

Under each umbrella IEE, the respective Mission and Partner will determine what level of sub-activity review and approval will be carried out by the USAID Mission, if any. (As with all IEEs, the concurrence of the BEO is also required for the governing IEE.) The Partner should discuss approval requirements with the Mission when considering an “umbrella” IEE.

Approval of the “umbrella” IEE means that, in most cases, approval of the subsequent environmental reviews (for specific activities or generic sets of activities) is by the Partner or Mission. USAID/Washington concurrence is typically NOT required. The exception is if a proposed activity is high risk or appears likely to result in significant adverse impacts and the need for an Environmental Assessment.

G.5 Attachments

This Annex contains the following attachments

- Attachment 1: Template and Guidance for Writing an Umbrella IEE
- Attachment 2a: Explanation of the Sample Environmental Review Form (ERF) and ERF Instructions
- Attachment 2b: Sample Environmental Review Form (ERF) and ERF Instructions AND
Sample Supplemental Screening Questions for Natural Resource Management Activities
- Attachment 3a: Explanation of the 2nd Sample Environmental Review Form (ERF)
- Attachment 3b: 2nd Sample Environmental Review Form—the “Environmental Screening & Report Form for NGO/PVO Activities and Grant Proposals”

Attachment 1 to Annex G: Template and Guidance for Writing an Umbrella IEE

Because an umbrella IEE or IEE component addresses activities for which specific information is not available, standardized umbrella IEE language can often be used.

This section provides general guidance and suggested language for an umbrella IEE. It assumes that the project involves subgrants by the lead partner (the proposing organization) to sub-recipients. It provides section-by-section advice on writing such an umbrella IEE around the basic IEE outline.

Note: This section *supplements* the basic concepts set out in Chapter 4, “Writing the IEE.” Note also **that a sample umbrella IEE is provided in Annex D.**

If you are using the subgrant review process as one component within a larger IEE, the template below will require appropriate modification.

IEE Section 1: Background and Project Description

General guidance	Model language
<p>1.1 Background</p> <p>State the reasons why proposed activities are not well-defined.</p> <p>(For example, because activities will be in response to participant generated needs and proposals.)</p>	
<p>1.2 Description of Activities</p> <p>Indicate the types of activities that are likely.</p> <p>Describe the planned funding levels of the activities.</p> <p>Describe disbursement and implementation arrangements, including whether the activities are food for work, monetization or entail grants to communities or groups.</p> <p>Identify organizations involved in the activities and their roles.]</p> <p>1.3 Purpose and scope of IEE</p> <p><no special guidance></p>	

IEE Section 2: Country and Environmental Information

General guidance	Model language
<p>2.1 Locations affected</p> <p>Briefly describe the environment of the location(s) in which the undefined activities will take place.</p> <p>Depending on the nature of the proposal, the locations</p>	

could include an entire country, several regions, scattered locations, or a specific region.

The environment includes physical, biological, health, socio-economic, and cultural aspects. Indicate general environmental issues and trends.

However, because not all locations for future interventions have been identified and because of the variety of environmental situations that might be encountered, this section of the IEE can be neither comprehensive nor detailed

2.2 National Environmental Policies and Procedures

<no special guidance>

IEE Section 3: Evaluation of Project/Program Issues with Respect to Environmental Impact Potential

General guidance	Model language
<p>To the extent that you have information, describe the generic kinds of environmental impacts associated with each activity or type of activity.</p> <p>Note whether there are features of the general environment that make it more likely (or less likely) that such impacts are significant.</p> <p>Take care to assess potential cumulative impacts where a number of activities are to be carried out in close proximity to each other or will add to the impacts of other public or private sector activities.</p>	<p>If your knowledge of potential environmental impacts is limited, insert the following or similar wording:</p> <p><i>The physical and topographic conditions, climate, soils, and ecosystems as well as social and economic characteristics that could be encountered are quite variable.</i></p> <p><i>Because the specific characteristics and locations of these activities are not definitive, the potential for adverse environmental impacts cannot be excluded until additional information about project design and location becomes available.</i></p> <p><i>Therefore, each proposed activity will require environmental review as it is defined. This review will determine the specific nature and magnitude of potential impacts. The activities to be proposed share the common characteristic of being small in scale.</i></p>

IEE Section 4: Recommended Determinations and Mitigation Actions (Including Monitoring and Evaluation)

In comparing the internal organization of an “umbrella IEE” with that of a “classic” IEE, it is Section 4 which differs most strongly. Under Section 4 of an umbrella IEE, the proposing organization and USAID commit to following specific procedures for screening, post-IEE environmental reviews, mitigation, and monitoring (see Figure G.1). The proposing organization and USAID also commit to promoting environmental assessment capacity building for their staff and partners.²³

²³ The relationship between the Partner(s) and USAID may differ from that characterized herein. **The sample language should be adapted to the situation at hand.**

General guidance	Model language
<p>4.1 Mitigation actions and conditions</p>	<p>The intent of the mitigation actions and conditions detailed in this section is to assure that no subgrant activities with significant, adverse environmental impacts are implemented under this project:</p>
<p>4.1a Environmental Screening and Review Procedures</p> <p>This section describes the subgrant environmental review procedures that will be used by the project.</p> <p>Note: The model language provided assumes that the ENVIRONMENTAL REVIEW FORM provided in this Annex is used.</p>	<p>Environmental screening and review procedures will be adopted for all subgrant activities not defined at the time of the proposal.</p> <p>These procedures are set out in the attached draft Environmental Review Form and accompanying Environmental Review Form instructions. [PROPOSING ORGANIZATION] will prepare or cause to be prepared the appropriate documentation for each activity.</p> <p>Under these procedures, each activity in a subgrant will result in one of three screening results:</p> <ul style="list-style-type: none"> ▪ Very low risk ▪ Moderate or unknown risk ▪ High-risk <p>Activities found to be (1) high risk or (2) moderate/unknown risk will require completion of an environmental review. For each activity, the environmental review will result in one of three possible recommended determinations:</p> <ul style="list-style-type: none"> ▪ No significant adverse impacts ▪ No significant adverse impacts given specified mitigation and monitoring ▪ Significant adverse impacts <p>Final review and clearance authority for the environmental documentation form will lie with the Mission Environmental Officer (MEO), with two exceptions:</p> <ul style="list-style-type: none"> ▪ The environmental reviews and recommended determinations for any “high risk” activities will require clearance by the [Regional Environmental Officer (REO) (if one exists)] and the Bureau Environmental Officer (BEO). ▪ Recommended determinations indicating “significant adverse impacts” will incur Regulation 216 (22 CFR 216) requirements for the conduct of an Environmental Assessment. <p>No subgrant funds will be awarded until environmental documentation for the subgrant activity has undergone final review and clearance.</p> <p>This clearance is granted on the condition that all mitigation and monitoring measures specified in the environmental review are binding requirements.</p> <p>The attached Environmental Review form is a draft. USAID/[COUNTRY] will facilitate the refinement of this form with [PROPOSING ORGANIZATION] [, the REO, if one exists] and the BEO to meet project needs.</p>

General guidance	Model language
<p>4.1b Capacity-building for Environmental Review</p> <p>The proposing organization should provide evidence that it has, or will acquire, sufficient capacity to complete the environmental screening and review process, and to implement mitigation and monitoring measures.</p> <p>Capacity can be developed through a training program, such as USAID’s ENCAP Environmental Assessment and Environmentally Sound Design Course (www.encapafrika.org).</p> <p>If partner organizations will be proposing and implementing subgrant activities, they too, must have sufficient capacity to fulfill the environmental screening and review requirements.</p>	
<p>4.1c Adherence to environmentally sound design principles</p> <p>The proposing organization must certify that it and its partners will follow environmentally sound design best practice in designing and implementing their activities, and in designing mitigation and monitoring measures.</p> <p>Refer to the sources of guidance or expertise that will be used, including USAID’s <i>Environmental Guidelines for Small-Scale Activities in Africa</i>.</p>	<p>Proposing organizations and their partners will certify they are following environmentally sound design principles and best management practice in designing their activities. Guidance consulted shall include:</p> <ul style="list-style-type: none"> • USAID’s <i>Environmental Guidelines for Small-Scale Activities in Africa (2003)</i> (See www.encapafrika.org) • <u>[Other appropriate project or sector-specific design or BMP resource guides]</u>
<p>4.1d Environmental Monitoring & Evaluation</p>	<p>Mitigation and monitoring measures specified in the environmental reviews submitted under procedures described in 4.1a are binding requirements. [PROPOSING ORGANIZATION] shall assure that these measures are implemented.</p> <p>All periodic reports of the implementing partner to [USAID Country Mission] shall contain an environmental section. This section shall summarize:</p> <ul style="list-style-type: none"> ▪ The state of implementation of environmental mitigation and monitoring measures ▪ Results of environmental monitoring and any unexpected impacts, ▪ The success or failure of mitigation measures being implemented, ▪ Any major modifications/revisions to the project, mitigative measures or monitoring procedures. <p>[USAID Country Mission]’s MEO and the Project Manager will be ultimately responsible for monitoring environmental impacts of all project-financed activities. This may include:</p> <ul style="list-style-type: none"> ▪ monitoring and evaluation of activities after implementation for unforeseen environmental impacts that may need to be mitigated. This process should be integrated into Mission field visits and consultations with [proposing organization]

General guidance	Model language
	<ul style="list-style-type: none"> ▪ review of the implementing partner’s reports with respect to results of environmental mitigation and monitoring procedures; ▪ reporting on implementation of mitigation and monitoring requirements as part of the summary of activities and their status that is passed to the [REO: Insert if one exists] and BEO; and ▪ recommended adjustments to subproject budgets to address additional mitigation or monitoring needs incorporated in subproject workplans <p>Periodic visits of the [REO: if one exists] or BEO may also be requested for advice, refresher training, and confirmation that environmental processes are in place.</p>
<p>4.1e Adherence to national environmental laws and regulations</p> <p>The IEE should specifically acknowledge that the environmental screening and review procedures described in 4.1a do not substitute for the environmental laws and policies of the host country.</p> <p>If national laws and policies may impose environmental review requirements on likely subgrant projects, these requirements should be noted, and the proposing organization should provide assurance that these national requirements will be followed.</p> <p>Towards this end, review and revision of the Environmental Review Form should include elements that will allow the proposing organization to determine whether national environmental review requirements will apply.</p>	
<p>4.1f Adherence to USAID pesticide procedures</p> <p>The environmental screening and review procedures summarized in section 4.1a do not apply to pesticide procurement, use, transport, storage or disposal.</p> <p>The proposing organization should specifically certify:</p> <ul style="list-style-type: none"> ▪ that none of the funded subgrant activities will involve pesticides, OR ▪ that a separate Pesticide Evaluation Report and Safe-Use Action Plan (PERSUAP) has been prepared and approved pursuant to USAID Regulation 22 CFR 216.3 (b) (1) (i) (a-l). <p>See PERSUAP examples at www.encapafrika.org and www.foodaidmanagement.org</p>	<p>This IEE does not cover pesticides or other activities involving procurement, use, transport, storage or disposal of toxic materials.</p> <p>Except as noted in the attached “Environmental Review Form,” any pesticide activities will require an amended IEE.</p>
<p>4.2 Recommended Determinations</p>	

General guidance	Model language
<p>This section asserts that subgrant activities not yet defined merit a “NEGATIVE DETERMINATION WITH CONDITIONS.”</p> <p>These conditions are all the measures detailed in section 4.1</p>	<p>This Initial Environmental Examination (IEE) satisfies the conditions of the environmental procedures for umbrella activities and delegation of environmental review responsibility to Missions for PVO/NGO umbrella-type projects (Cable 95 STATE 257896).</p> <p>The following determinations are recommended:</p> <p>1. A Categorical Exclusion is recommended for project-financed technical assistance, training and education, institutional strengthening, and information exchange activities that include no physical interventions and no direct effects on the environment.</p> <p>This determination is recommended pursuant to 22 CFR 216.2(c)(1)(i) and 216.2(c)(2)(i), (iii) and (v) [Insert other citations if applicable]. The Environmental Review Instructions and Form will be used to confirm this determination for each activity.</p> <p>Exceptions:</p> <ul style="list-style-type: none"> ▪ This categorical exclusion does not apply to education, technical assistance, or training if such includes activities directly affecting the environment, such as construction of facilities, per 216.2(c)(2)(i), ▪ This categorical exclusion likewise does not apply to studies, projects, or programs intended to develop the capability of recipient countries to engage in development planning when designed to result in activities directly affecting the environment, per 216.2(c)(2)(xiv). <p>2. A Negative Determination with Conditions is recommended for all other subgrant activities not yet defined in detail.</p> <p>This IEE specifies a set of measures (section 4.1 above) to ensure adequate environmental review of USAID-supported activities, and to assure that no subgrant activity with significant adverse environmental impacts will be implemented under this IEE.</p> <p>This determination is recommended with the explicit commitment and understanding that ALL measures set out in 4.1 constitute binding requirements and will be implemented in full.</p>
<p>5.0 Summary of findings</p> <p>This section should contain a <i>summary table</i> listing each activity against its recommended determination.</p> <p>Within the summary table or below it, the CONDITIONS on which the negative determination for subgrant activities depends should be listed.</p> <p>These conditions are:</p> <ul style="list-style-type: none"> ▪ Implementation of environmental screening and review procedures for subgrants, as set out in 4.1a and the attached Environmental Review Form and Instructions ▪ Capacity-building for environmental review (4.1b) 	

General guidance	Model language
<ul style="list-style-type: none"> ▪ Adherence to environmentally sound design principles in subgrant projects (4.1c) ▪ Appropriate environmental mitigation and monitoring for subgrant projects (4.1d) ▪ Adherence to host country environmental laws and policies (4.1e) ▪ Adherence to USAID pesticide procedures (4.1f) 	

Attachment 2a to Annex G

Explanation of the Sample Environmental Review Form (ERF) and ERF Instructions

The Environmental Review Form (ERF) and the ERF Instructions guide applicants through a simplified EIA process compatible with Regulation 216.

The ERF and the ERF Instructions immediately follow this explanatory text.

This documentation describes the logic behind the form and the environmental screening and review process it creates for activities carried out under umbrella projects. This information is summarized in figure G.1.

NOTE: As stated in the box on the first page of the ERF Instructions, both ERF and the ERF Instructions should be *modified* for the requirements of particular projects and regions.

Screening: the first step

Under this ERF, applicants first **SCREEN** the proposed activities against a listing of designated “low risk” and “high risk” activities. Each proposed activity is then assigned to one of three categories, as described in the table below:

Screening result	Basis
Very low risk of significant adverse environmental impacts	Screening criteria are derived from Regulation 216 categorical exclusions. A complete list of such activities is provided in the ERF Instructions.
High risk	Screening criteria are derived from activities typically requiring an environmental assessment under Regulation 216, and from other statutes and directives. A complete list of such activities is provided in the ERF Instructions.
Moderate or unknown risk	Activities that are neither high-risk nor very low risk are designated “moderate or unknown risk.” Examples of such projects are provided in the form, but these examples are not exhaustive.

NOTICE:

THIS ERF AND ITS DOCUMENTATION ARE A **DISCUSSION DRAFT**.

THEY HAVE BEEN PREPARED FOR THE JOHANNESBURG MEO WORKSHOP IN FEBRUARY 2003 AND WILL BE REVISED BASED ON FEEDBACK FROM THIS EVENT.

The sample Environmental Review Form:

- *guides applicants through a simplified EIA process.*
 - *This process is compatible with Regulation 216.*
-

Use of supplemental screening forms

Supplemental screening questions may be developed for the needs of particular types of activities. These screening forms are used to more specifically identify very low-risk or very high-risk activities.

A sample supplemental screening form for *Natural Resource Management* (NRM) activities is provided here. A “NO” answer to ALL questions on this form indicates that a small-scale NRM activity can be considered “very low risk.” This supplemental form is referenced in the list of “very low risk” activities provided in the ERF Instructions.

Screening outcomes determine the need for further review

For very low risk activities, no further environmental review is needed.

High Risk or moderate/unknown risk activities require completion of an *Environmental Review Report*. This is a typically short (2–3 page) document that resembles a simplified IEE.

Based on the *Environmental Review Report*, applicants provide one of three *Recommended Determinations*, detailed in the table below:

Recommended determination	Meaning
No significant adverse impacts	The activity in question will not result in significant, adverse environmental impacts. Special mitigation or monitoring is not required. Typically does not apply to high-risk activities.
No significant adverse impacts given specified mitigation and monitoring	With the mitigation and monitoring specified in the Environmental Review Report, none of the subgrant activities will result in significant, adverse environmental impacts.
Significant adverse impacts	One or more of the subgrant activities is likely to cause significant adverse environmental impacts and cannot be mitigated with best practices or other measures. A full environmental assessment will be required.

Certifications

The applicant must certify that:

- Those responsible for implementing this activity have received training in environmental review AND training and/or documentation describing essential design elements and best practices for activities of this nature.
- These design elements and best practices will be followed in implementing this activity.
- Any specific mitigation or monitoring measures described in the environmental review will be implemented in their entirety.
- Compliance with these conditions will be regularly confirmed and documented by on-site inspections during the activity and at its completion.

Certification

Regardless of screening outcomes or recommended determinations, applicants must sign a certification section.

The certification commits the applicant to the mitigation and monitoring measures specified in the environmental review, and to assuring that its staff and partners have the capacity to implement environmentally sound best practices. (See box on this page.)

Approval

The USAID Mission is always the first reviewer of the ERF.

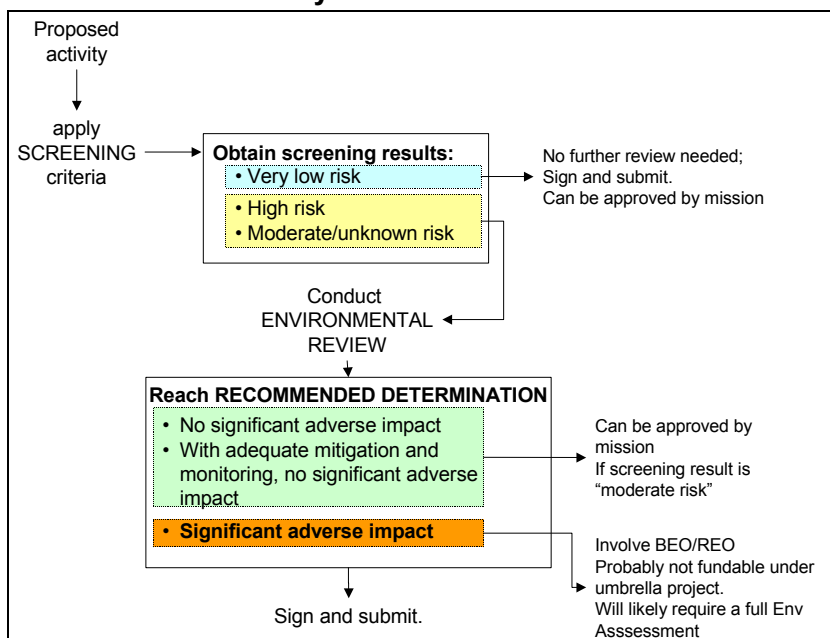
- When screening determines that ALL proposed activities are “Very Low Risk,” the Mission can approve the ERF without higher level approvals.
- In all other cases, approval authority depends on the combination of screening results and the recommended determination. See table below:

Table G.1: Approval authority for the ERF

Screening outcome ↓	Recommended Determination		
	No significant adverse impacts	No significant adverse impacts given specified mitigation and monitoring	Significant adverse impacts
Moderate or unknown risk*	MISSION*	MISSION*	REQUIRES EA. MISSION MUST INVOLVE REO/BEO
High Risk	Unlikely to be a proper determination MISSION + REO/BEO	MISSION + REO/BEO	REQUIRES EA. MISSION MUST INVOLVE REO/BEO

*however, if the activity is of a new type, the mission should involve the BEO/REO.

Figure G.1: Environmental Screening and Review Process created by the Environmental Review Form.



Attachment 2b to Annex G

***Sample Environmental Review Form (ERF) and
ERF Instructions***

***Sample Supplemental Screening Questions for
Natural Resource Management Activities***

Note to individuals adapting this form for use on a particular project:

- These instructions accompany the generic “Environmental Review Form.”
- The Environmental Review Form and these instructions are for use in the review and approval of subproject proposals that are (1) carried out under an “umbrella” project AND (2) defined and reviewed *after* approval of the overall or “umbrella project.” Typical subprojects include microfinance activities or subgrants for small-scale development
- Underlined/Highlighted text MUST be modified to reflect project and mission name
- Both the form AND instructions should be reviewed and modified in general to reflect the needs of the specific umbrella project.
- Both form and instructions must be appended to the Initial Environmental Examination for the overall project.

DELETE THIS BOX BEFORE MODIFYING/DISTRIBUTING THIS FORM



USAID/mission or bureau name
Instructions for environmental
review of activities under the XXX project

Note

These instructions accompany the “Environmental Review Form for XXX Project Activities.” Follow, but DO NOT SUBMIT, these instructions.

Who must submit the Environmental Review Form?

All organizations applying to implement activities on the XXX Project must complete the “Environmental Review Form” form UNLESS the project or activity is carried out to address an emergency (e.g., international disaster assistance). *Emergencies are determined by the US Ambassador or USAID, not by the applicant.*¹

Importance

The proposed activity cannot be approved and no “irreversible commitment of resources” can be made until the environmental documentation, including any mitigation measures, is approved by the Mission Environmental Officer (MEO). Approval by other authorities in USAID may also be required.

NOTE: USAID may request modifications, or reject the documentation.

If the activities are found to have significant adverse impacts, a full Environmental Assessment must be conducted.

¹ See 22 CFR §216.2(b)(1). Most activities carried out under emergency circumstances are considered EXEMPT from USAID environmental procedures, except for the procurement or use of pesticides

Step 1. Provide requested “Applicant information” (Section A of the form)

Step 2. List all proposed activities

In Section B of the form, list all proposed activities. Include all phases: *planning, design, construction, operation & maintenance*. Include ancillary activities. (These are activities that are required to build or operate the primary activity. Examples include building or improving a road so that heavy vehicles can reach the project site, excavation of fill material or gravel for construction, provision of electricity, water, or sewage facilities, disposal of solid waste, etc.)

Step 3a. Screening: Identify low-risk and high-risk activities

For *each* activity you have listed in Section B of the form, refer to the list below to determine whether it is a listed low-risk or high-risk activity.

If an activity is specifically identified as “very low risk” or “high risk” in the list below, indicate this in the “screening result” column in Section B of the form.

<p align="center">Very low-risk activities (Activities with low potential for adverse biophysical or health impacts; including §216.2(c)(2))</p>	<p align="center">High-risk activities (Activities with high potential for adverse biophysical or health impacts; including §216.2(d)(1))</p>
<p>Provision of education, technical assistance, or training. (Note that activities directly affecting the environment do not qualify.)</p> <p>Community awareness initiatives.</p> <p>Controlled agricultural experimentation exclusively for the purpose of research and field evaluation confined to small areas (normally under 4 ha./10 acres). This must be carefully monitored and no protected or other sensitive environmental areas may be affected).</p> <p>Technical studies and analyses and other information generation activities not involving intrusive sampling of endangered species or critical habitats.</p> <p>Document or information transfers.</p> <p>Nutrition, health care or family planning, EXCEPT when (a) some included activities could directly affect the environment (construction, water supply systems, etc.) or (b) biohazardous (esp. HIV/AIDS) waste is handled or blood is tested.</p> <p>Rehabilitation of water points for domestic household use, shallow, hand-dug wells or small water storage devices. Water points must be located where no protected or other sensitive environmental areas could be affected.</p> <p>NOTE: USAID guidance on potable water requires water quality testing for arsenic, coliform, nitrates and nitrites.</p> <p>Construction or repair of facilities if total surface area to be disturbed is under 10,000 sq. ft. (approx. 1,000 sq. m.) (and when no protected or other sensitive environmental areas could be affected).</p> <p>Support for intermediate credit arrangements (when</p>	<p>River basin or new lands development</p> <p>Planned resettlement of human populations</p> <p>Penetration road building, or rehabilitation of roads (primary, secondary, some tertiary) over 10 km length, and any roads which may pass through or near relatively undegraded forest lands or other sensitive ecological areas</p> <p>Substantial piped water supply and sewerage construction</p> <p>Major bore hole or water point construction</p> <p>Large-scale irrigation</p> <p>Water management structures such as dams and impoundments</p> <p>Drainage of wetlands or other permanently flooded areas</p> <p>Large-scale agricultural mechanization</p> <p>Agricultural land leveling</p> <p>Procurement or use of <u>restricted use</u> pesticides, or wide-area application in non-emergency conditions under non-supervised conditions. (Consult MEO.)</p> <p>Light industrial plant production or processing (e.g. sawmill operation, agro-industrial processing of forestry products, tanneries, cloth-dyeing operations).</p> <p>High-risk and typically not funded by USAID:</p> <p>Actions determined likely to significantly degrade protected areas, such as introduction of exotic plants or animals</p> <p>Actions determined likely to jeopardize threatened & endangered species or adversely modify their habitat</p>

Very low-risk activities (Activities with low potential for adverse biophysical or health impacts; including §216.2(c)(2))	High-risk activities (Activities with high potential for adverse biophysical or health impacts; including §216.2(d)(1))
<p>no significant biophysical environmental impact can reasonably be expected).</p> <p>Programs of maternal and child feeding conducted under Title II of Public Law 480.</p> <p>Food for development programs under Title III of P.L. 480, when no on-the-ground biophysical interventions are likely.</p> <p>Studies or programs intended to develop the capability of recipients to engage in development planning. (Does NOT include activities directly affecting the environment)</p> <p>Small-scale Natural Resource Management activities for which the answer to ALL SUPPLEMENTAL SCREENING QUESTIONS (attached) is "NO."</p>	<p>(esp. wetlands, tropical forests)</p> <p>Conversion of forest lands to rearing of livestock</p> <p>Planned colonization of forest lands</p> <p>Procurement or use of timber harvesting equipment</p> <p>Commercial extraction of timber</p> <p>Construction of dams or other water control structures that flood relatively undegraded forest lands</p> <p>Construction, upgrading or maintenance of roads that pass through relatively undegraded forest lands. (Includes temporary haul roads for logging or other extractive industries)</p>

(This list of activities is taken from the text of Regulation 216 and other applicable laws, regulations and directives)

Step 3b: Identifying activities of unknown or moderate risk.

All activities NOT identified as "very low risk" or "very high risk" are considered to be of "unknown or moderate risk." Common examples of moderate-risk activities are given in the table below.

Check "moderate or unknown risk" under screening results in Section B of the form for ALL such activities.

Common examples of moderate-risk activities	
<p>CAUTION: If ANY of the activities listed in this table may adversely impact (1) protected areas, (2) other sensitive environmental areas, or (3) threatened and endangered species and their habitat, THEY ARE NOT MODERATE RISK. All such activities are HIGH RISK ACTIVITIES.</p>	
<p>Small-scale agriculture, NRM, sanitation, etc. <u>define what is meant by "small-scale" for each project.</u></p> <p>Controlled and carefully monitored agricultural experimentation exclusively for the purpose of research and field evaluation of MORE than 4 ha.</p> <p>Moderate scale construction or rehabilitation of facilities or structures <u>surface area to be disturbed exceeds 10,000 sq. ft (1000 sq meters) but funding level is \$200,000 or less.</u></p> <p>Construction or rehabilitation of rural roads meeting the following criteria:</p> <ul style="list-style-type: none"> ▪ Length of road work is less than ~10 km ▪ No change in alignment or right of way ▪ Ecologically sensitive areas are at least 100 m away from the road and not affected by construction or changes in drainage. ▪ No protected areas or relatively undegraded forest are within 5 km of the road. <p>Food for Development programs under Title II or III, involving small-scale infrastructure with the known potential to cause environmental harm (e.g., roads, bore holes).</p> <p>Quantity imports of commodities such as fertilizers.</p> <p>Technical studies and analyses or similar activities that could involve intrusive sampling of endangered</p>	<p>Construction or rehabilitation of small-scale water points or water storage devices for domestic or non-domestic use. (Covers activities NOT included under "Very low risk activities" above.)</p> <p>NOTE: USAID guidance on water quality requires testing for arsenic, nitrates, nitrites and coliform bacteria.</p> <p>Support for intermediate credit institutions when indirect environmental harm conceivably could result.</p> <p>Institutional support grants to NGOs/PVOs when the activities of the organizations are known and may reasonably have adverse environmental impact.</p> <p>Small-scale use of USEPA-registered, least-toxic general-use pesticides. Use must be limited to NGO-supervised use by farmers, demonstration, training and education, or emergency assistance.</p> <p>NOTE: Environmental review (see step 5) must be carried out consistent with USAID Pesticide Procedures as required in Reg. 16 [22 CFR 216.3(b)(1)].</p> <p>Nutrition, health care or family planning, if (a) some included activities could directly affect the environment (e.g., construction, supply systems, etc.) or (b) biohazardous healthcare waste (esp. HIV/AIDS) is produced, syringes are used, or blood</p>

Common examples of moderate-risk activities	
CAUTION: If ANY of the activities listed in this table may adversely impact (1) protected areas, (2) other sensitive environmental areas, or (3) threatened and endangered species and their habitat, THEY ARE NOT MODERATE RISK. All such activities are HIGH RISK ACTIVITIES.	
species or critical habitats. (Includes aerial sampling.)	is tested.

Step 4. Determine if you must write an Environmental Review Report

Examine the “screening results” as they are entered in Table 1 of the form.

- If ALL the activities are “very low risk,” then no further review is necessary. In Section C of the form, check the box labeled “very low risk activities.” Skip to Step 8 of these instructions.
- If ANY activities are “unknown or moderate risk,” you MUST complete an ENVIRONMENTAL REVIEW REPORT addressing these activities. Proceed to Step 5.
- If ANY activities are “high risk,” note that USAID’s regulations usually require a full environmental assessment study (EA). Because these activities are assumed to have a high probability of causing significant, adverse environmental impacts, they are closely scrutinized. *Any* proposed high-risk activity should be discussed in advance with USAID.

In some cases, it is possible that effective mitigation and monitoring can reduce or eliminate likely impacts so that a full EA will not be required. If the applicant believes this to be the case, the Environmental Review Report must argue this case clearly and thoroughly. Proceed to Step 5.

Step 5. Write the Environmental Review Report, if required

The Environmental Review Report presents the environmental issues associated with the proposed activities. It also documents mitigation and monitoring commitments. Its purpose is to allow the applicant and USAID to evaluate the likely environmental impacts of the project.

For moderate risk activities, the Environmental Review Report is typically a SHORT 2–3 page document. The Report will typically be longer when (1) activities are of higher or unknown risk, and (2) when a number of impacts and mitigation measures are being identified and discussed.

The Environmental Review Report follows the outline below:

- A. **Summary of Proposal.** Summarize background, rationale and outputs/results expected. (reference to proposal, if appropriate).
- B. **Description of activities.** For all moderate and high-risk activities listed in Table 1 of the form, succinctly describe location, siting, surroundings (include a map, even a sketch map). Provide both quantitative and qualitative information about actions needed during all project phases and who will undertake them. (All of this information can be provided in a table). If various alternatives have been considered and rejected because the proposed activity is considered more environmentally sound, explain these.
- C. **Environmental Situation & Host Country environmental requirements.** Describe the environmental characteristics of the site(s) where the proposed activities will take place. Focus on site characteristics of concern—e.g., water supplies, animal habitat, steep slopes, etc. With regard to these critical characteristics, is the environmental situation at the site degrading, improving, or

stable? In this section, also describe applicable host country environmental regulations, policies and practices.

- D. Evaluation of Activities and Issues with Respect to Environmental Impact Potential.** Include impacts that could occur before construction starts, during construction and during operation, as well as any problems that might arise with abandoning, restoring or reusing the site at the end of the anticipated life of the facility or activity.

Explain direct, indirect, induced and cumulative effects on various components of the environment (e.g., air, water, geology, soils, vegetation, wildlife, aquatic resources, historic, archaeological or other cultural resources, people and their communities, land use, traffic, waste disposal, water supply, energy, etc.)

- E. Environmental Mitigation Actions (including monitoring).** Provide a workplan and schedule identifying the following:

Mitigation measures. Identify the means taken to avoid, reduce or compensate for impacts. (For example, restoration of borrow or quarry areas, replanting of vegetation, compensation for any relocation of homes and residents.) If standard mitigation or best practice guidance exists and is being followed, cite this guidance.

Monitoring Indicate how mitigation measures will be monitored to ensure that they accomplish their intended result. If some impacts are uncertain, describe the monitoring which will be conducted to identify and respond to these potential impacts.

Responsible parties. Identify *who* will undertake mitigation and who will conduct the monitoring, and at what frequency.

- F. Other Information.** Where possible and as appropriate, include photos of the site and surroundings; maps; and list the names of any reference materials or individuals consulted.

(Pictures and maps of the site can substantially reduce the written description required in parts B & C)

Step 6. Based on the environmental review, reach a recommended determination for *each* high-risk or unknown/moderate-risk activity

For each high-risk or unknown/moderate-risk activity, the environmental review will help you decide between one of three recommended determinations:

- **no significant adverse impacts.** The activity in question will not result in significant, adverse environmental impacts. Special mitigation or monitoring is not required. Typically, this conclusion is not appropriate for high-risk activities.
- **no significant adverse impacts given specified mitigation and monitoring** With mitigation and monitoring as specified in the Environmental Review Report, the activities in question will not result in significant adverse environmental impacts.
- **significant adverse impacts.** The activities in question is likely to cause significant adverse environmental impacts and cannot be mitigated with best practices or other measures. A full environmental assessment will be required.

For each high-risk or unknown/moderate-risk activity, indicate your “recommended determination” in Section B of the form.)

Step 7: Summarize recommended determinations

In section C of the form, summarize your recommended determinations by checking ALL categories indicated in Table 1.

Step 8. Sign certifications (Section D of form)

Step 9. Submit form to USAID project officer

Attach Environmental Review Report, if any.



**USAID/mission or bureau name:
Environmental Review Form for XXX
Project Activities**

Note: Follow, but do not submit, the attached instructions.

A. Applicant information

Organization	Parent grant or project
Individual contact and title	Address, phone & email (if available)
Proposed activity (brief description)	Amount of funding requested
Location of proposed activity	Start and end date of proposed activity

B. Activities, screening results, and recommended determination

Proposed activities (continue on additional page if necessary)	Screening result (Step 3 of instructions)			Recommended Determinations (Step 6 of instructions. Complete for all moderate/unknown and high-risk activities)		
	Very Low Risk	High-Risk*	Moderate risk or unknown*	No significant adverse impact	With specified mitigation, no significant adverse impact.	Significant Adverse impact
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

*These screening results require completion of an Environmental Review Report

C. Summary of recommended determinations (check ALL that apply)

The proposal contains. . .	<i>(equivalent Regulation 216 terminology)</i>
<input type="checkbox"/> Very low risk activities	<i>categorical exclusion(s)</i>
<input type="checkbox"/> After environmental review, activities determined to have no significant adverse impacts*	<i>negative determination(s)*</i>
<input type="checkbox"/> After environmental review, activities determined to have no significant adverse impacts, given specified mitigation and monitoring*	<i>negative determination(s) with conditions*</i>
<input type="checkbox"/> After environmental review, activities determined to have significant adverse impacts*	<i>positive determination(s)*</i>

*for these determinations, the form is not complete unless accompanied by Environmental Review Report

D. Certification:

I, the undersigned, certify that:

1. the information on this form is correct and complete
2. the following actions have been and will be taken to assure that the activity complies with environmental requirements established for this Project:
 - Those responsible for implementing this activity have received training in environmental review AND training and/or documentation describing essential design elements and best practices for activities of this nature.
 - These design elements and best practices will be followed in implementing this activity.
 - Any specific mitigation or monitoring measures described in the Environmental Review Report will be implemented in their entirety.
 - Compliance with these conditions will be regularly confirmed and documented by on-site inspections during the activity and at its completion.

(Signature) _____ (Date) _____

(Print name) _____

BELOW THIS LINE FOR USAID USE ONLY

Clearance record

USAID Project Officer	(print name)	(signature)	(date)
<input type="checkbox"/> Clearance given			
<input type="checkbox"/> Clearance denied			
USAID MEO	(print name)	(signature)	(date)
<input type="checkbox"/> Clearance given			
<input type="checkbox"/> Clearance denied			
USAID REO*	(print name)	(signature)	(date)
<input type="checkbox"/> Clearance given			
<input type="checkbox"/> Clearance denied			
USAID BEO*	(print name)	(signature)	(date)
<input type="checkbox"/> Clearance given			
<input type="checkbox"/> Clearance denied			

*REO and BEO approval required for all "high risk" screening results and for determinations of "significant adverse impacts"

Note: if clearance is denied, comments must be provided to applicant

Note to individuals adapting this form for use on a particular project:

- This supplement is oriented around major resource/issue clusters and asks “leading questions” about the actual potential for unintended harmful impacts of CBNRM/ECOTOURISM activities.
- Underlined/Highlighted text **MUST** be modified to reflect project and mission name
- Questions should be modified to respond to the needs of individual projects. This is intended to be a “living” document subject to adaptation.

DELETE THIS BOX BEFORE MODIFYING/DISTRIBUTING THIS FORM



**USAID/mission or bureau name
Supplemental screening questions for
natural resources activities under the XXX
project (or program)**

Purpose

This is a supplement to the “Instructions for Environmental Review under the XXX project.” It is to be used for natural resources-based activities, including:

- Community-Based Natural Resource Management (CBNRM)
- Ecotourism
- Natural resources-based enterprise development with micro- and small enterprises

This supplement provides additional questions to ascertain whether these proposed activities should be categorized as “very low risk:”

- If the answers to ALL the questions that follow are “NO,” then the proposed CBNRM or Ecotourism activity is considered “very low risk.”
- If the answer to ANY question is “YES,” the activity CANNOT be considered “very low risk.”

Screening questions

Will the activities...	YES	NO
Natural Resources		
Accelerate erosion by water or wind?		
Reduce soil fertility and/or permeability?		
Alter existing stream flow, reduce seasonal availability of water resources?		
Potentially contaminate surface water and groundwater supplies?		
Involve the extraction of renewable natural resources?		
Lead to unsustainable use of renewable natural resources such as forest products?		

DISCUSSION DRAFT

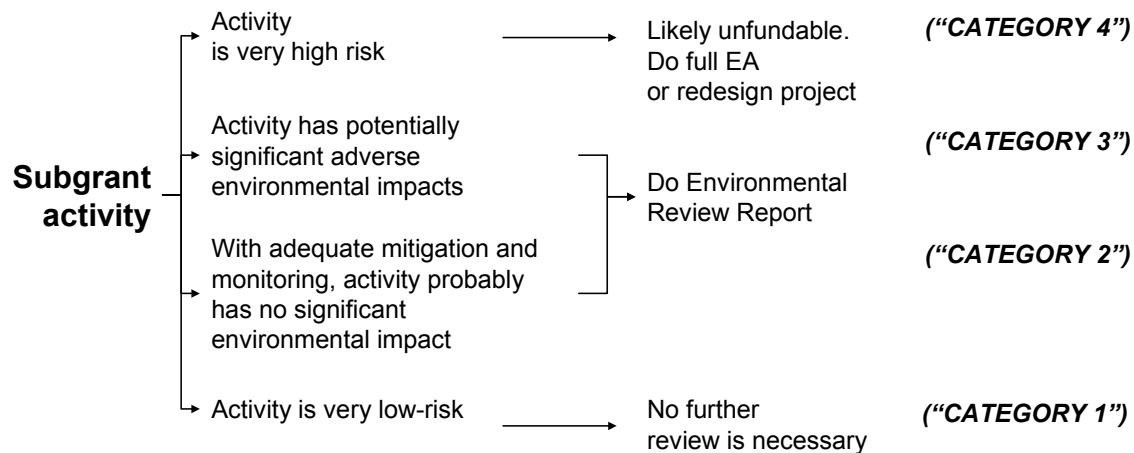
Will the activities...	YES	NO
Involve the extraction of non-renewable natural resources?		
Restrict customary access to natural resources?		
Reduce local air quality through generating dust, burning of wastes or using fossil fuels and other materials in improperly ventilated areas?		
Affect dry-season grazing areas and/or lead to restricted access to a common resource?		
Lead to unsustainable or unnecessarily high water extraction and/or wasteful use?		
Ecosystems and Biodiversity		
Drain wetlands, or be sited on floodplains?		
Harvest wetland plant materials or utilize sediments of bodies of water?		
Lead to the clearing of forestlands for agriculture, the over-harvesting of valuable forest species?		
Promote in-forest bee keeping?		
Lead to increased hunting, or the collection of animals or plant materials?		
Increase the risks to endangered or threatened species?		
Introduce new exotic species of plants or animals to the area?		
Lead to road construction or rehabilitation, or otherwise facilitate access to fragile areas (natural woodlands, wetlands, erosion-prone areas)?		
Cause disruption of wildlife migratory routes?		
Agricultural and Forestry Production		
Have an impact on existing or traditional agricultural production systems by reducing seed availability or reallocating land for other purposes?		
Lead to forest plantation harvesting without replanting, the burning of pastureland, or a reduction in fallow periods?		
Affect existing food storage capacities by reducing food inventories or encouraging the incidence of pests?		
Affect domestic livestock by reducing grazing areas, or creating conditions where livestock disease problems could be exacerbated?		
Involve the use of insecticides, herbicides and/or other pesticides?		
Community and Social Issues		
Have a negative impact on potable water supplies?		
Encourage domestic animal migration through natural areas?		
Change the existing land tenure system?		
Have a negative impact on culturally important sites in the community?		
Increase in-migration to the area?		
Create conditions that lead to a reduction in community health standards?		
Lead to the generation of non-biodegradable waste?		
Involve the relocation of the local community?		
Potentially cause or aggravate land-use conflicts?		

Attachment 3a to Annex G:

Explanation of the 2nd Sample Environmental Review Form (ERF)

A second example of an Environmental Review Form is provided in this Annex. This is the “Environmental Screening & Report Form for NGO/PVO Activities and Grant Proposals.”

This form has been in use by Africa Bureau for several years. It assigns proposed sub-activities to four screening categories, as depicted in the diagram below:



As with the 1st sample ERF format, an Environmental Review Report is used to ascertain the likely environmental impacts of all but the lowest-risk activities.

Category 1 and Category 2 activities can be approved at the mission level. Category 3 and 4 activities must be referred to the Bureau and Regional Environmental Officers, with Category 4 activities being likely unfundable.

Attachment 3b to Annex G:

***2nd Sample Environmental Review Form—
the “Environmental Screening & Report
Form for NGO/PVO Activities and Grant
Proposals”***

ENVIRONMENTAL SCREENING/REPORT FORM FOR NGO/PVO ACTIVITIES

BACKGROUND

USAID, as a "re-engineered, learning institution," has introduced major changes in its new operations systems, with a strengthened focus on results (not activities), greater accountability and empowerment, teamwork, participation and customer orientation. For example, projects are replaced with "results packages" provide USAID operating units and collaborators the flexibility they need to adapt to changes during implementation. The underlying rationale is to focus on results, while still managing inputs and monitoring outputs properly, and to give those responsible (including the host country partners) for achieving results the flexibility to change approaches and tactics as situations change or lessons are learned.

USAID's Africa Bureau Environmental Office, in conjunction with the Regional Environmental Offices, has been developing an initiative for environmental management capacity building. This initiative is intended to support USAID/AFR Missions, their implementing agents and collaborators. An important rationale for this initiative is that Africa Bureau environmental and legal staff anticipate providing significantly enhanced responsibility to carry out environmental reviews to those USAID Mission programs whose designers and/or implementors have successfully completed an Environmental Assessment course and/or participated in related capacity-building activities. Relevant agency experience has shown that such enhanced Mission authority can greatly facilitate field-level program activity design and implementation. These NGO Environmental Guidelines are consistent with USAID's new precepts of flexibility.

The present Environmental Screening and Reporting Form (ESF) is designed to be consistent with the Initial Environmental Examination process, and to assist USAID Missions and their implementing partners design and implement activities in an environmentally sound manner in accordance with all salient agency policies and procedures. Use of the ESF will greatly reduce the need for review and approval of NGO activities at the regional or Washington levels.

INTRODUCTION TO USE OF THIS FORM

This form is to be utilized to screen USAID-funded activities, including grantees of the PVO umbrella projects, and proposals submitted for consideration for funding under other USAID programs including grants management units, where USAID has approved through an Initial Environmental Examination that this process be put in place. This is a *generic* form, illustrative only, and its final contents are to be refined and jointly determined among the affected partners -- NGO, USAID, host country agencies, etc. To the extent possible, the form should reflect host government environmental policies and procedures, e.g., accounting for existing designated protected areas.

Typically, two broad categories of projects will be funded: (a) those designed to strengthen local institutional capacities to manage the natural resource base and (b) those designed to support the development of appropriate infrastructure needed for sustainable natural resource management. Activities could include training, technical assistance and other institutional support, income-generating activities through the exploitation of natural resources in a self-sustaining and environmentally sound manner or development of physical infrastructure to further natural resource management at the district level. Under other components of USAID-funded programs, training, technical assistance, research, studies, and information-related activities and other types of activities can be funded.

This form is intended to be adaptable to unique circumstances. In using this form, adjustments as needed can be made in consultation with the Regional and Bureau Environmental Offices. It is strongly advised that the Mission Environmental Officer make on-site visits prior to finalization of the ESF, and that the ESF be rational and fully defensible and without ambiguity as to how the conclusion was reached that the activity(ies) will have no significant impact.

ENVIRONMENTAL SCREENING/REPORT FORM FOR NGO/PVO ACTIVITIES

Grantee: _____

Grant/Sub-grant: _____

Activity Name: _____

Duration (proposed start and completion dates): _____

Geographic

Location: _____

Activity Description (paragraph(s) describing purpose/outputs and potential environmental impacts): [add space as needed]

Determine the Nature of the Activity

- a. **Environmental Review Report Needed.** Does the activity include funds to support any physical natural resource management activities, or any community and rural development services, infrastructure, public facilities or road rehabilitation? Does it involve development of income-generating or resource management systems, or certain kinds of applied ecological or natural resources research? It will likely require an Environmental Review of the kind described in Step 4 of this form. Determine under which Category the activity falls to establish the need for the Environmental Review.
- b. **No Further Environmental Review Required.** Is the activity exclusively to provide technical assistance, training, institutional strengthening, or research, education, studies or other information analysis, awareness-building or dissemination activities *with no foreseeable negative impact on the biophysical environment*? This probably qualifies as a Category 1 activity -- no further environmental review or action may be necessary. Complete form to establish this circumstance.
- c. **Emergency Circumstances Apply.** Does the activity involve an emergency circumstance (e.g. drought)? Under specific conditions, the activity may be *exempt* from further environmental review. Must be determined by Bureau Environmental Officer with input from Regional and Mission Environmental Officers. Sound environmental implementation principles are to be applied to any urgent programs. Note that exemptions *cannot* be applied in the case of assistance for use or procurement of *pesticides*.
- d. **Multiple Categories.** Many activities will have components or sub-activities in more than one category. Simply mark all that apply. The form will guide you to the appropriate next steps.

Step 1. Determine Category of Activity:

Africa Bureau Category 1 -- no further environmental review needed:

< *Does the activity involve (mark yes where applicable):*

_____ Provision of education, technical assistance, or training. Does *not* qualify for "Category 1" if such programs include activities directly affecting the environment.

_____ Community awareness initiatives.

_____ Controlled experimentation exclusively for the purpose of research and field evaluation confined to small areas (normally under 4 ha., i.e., 10 acres) and carefully monitored (when no protected or other sensitive environmental areas could be affected).

_____ Technical studies and analyses and other information generation activities not involving intrusive sampling of endangered species or critical habitats.

_____ Document or information transfers.

- _____ Nutrition, health care or family planning. Such programs do *not* qualify for "Category 1" if (a) some included activities could directly affect the environment (construction, water supply systems, etc.) or (b) [healthcare waste which is biohazardous \(esp. HIV/AIDS\) is handled or blood is tested.](#)
- _____ Rehabilitation of water points for domestic household use, shallow, hand-dug wells or small water storage devices (when no protected or other sensitive environmental areas could be affected). [Pursuant to USAID guidance on water quality, testing required for arsenic, nitrates, nitrites and coliform bacteria.](#)
- _____ Construction or repair of facilities if total surface area to be disturbed is under 10,000 sq. ft. (approx. 1,000 sq. m.) (*and* when *no* protected or other sensitive environmental areas could be affected).
- _____ Support for intermediate credit arrangements (when *no* significant biophysical environmental impact can reasonably be expected).
- _____ Programs of maternal and child feeding conducted under Title II of Public Law 480.
- _____ Food for development programs under Title III of P.L. 480, when no on-the-ground biophysical interventions are likely.
- _____ Studies or programs intended to develop the capability of recipients to engage in development planning. Do *not* mark "yes" if these involve activities directly affecting the environment.

Africa Bureau Category 2 -- Negative environmental impacts possible, environmental review required (specific conditions, including monitoring, may be applied):

Note: The Environmental Review (Step 4 below) must address why there will be no potential adverse impacts on protected areas, endangered or threatened species or their critical habitat; or relatively undegraded forest, i.e., justify your conclusion that the proposed Category 2 activities do not belong in Category 3 or 4. Even for activities designed to protect or restore natural resources, the potential for environmental harm exists (e.g., re-introduction of species, controlled burning, fencing, wildlife water points, spontaneous human population shifts in response to activities undertaken, etc.). *If you do not find an exact match listed here for the activity you are undertaking, and it is not in Category 1, 3 or 4, then use the last item in Category 2 to describe the activity and treat it as Category 2 for purposes of environmental review.*

< Does the activity involve (mark yes, where applicable):

- _____ Small-scale agriculture, NRM, sanitation, etc. (*list and scale to be defined mutually among the appropriate partners -- NGO, donor, host country agencies, REDSO, etc.*).
- _____ Controlled experimentation exclusively for the purpose of research and field evaluation (*areas of 4 ha. or more, i.e., 10 acres*) and carefully monitored, when neither protected or other sensitive environmental areas could be adversely affected nor threatened and endangered species and their habitat jeopardized.
- _____ Small-scale construction or rehabilitation of facilities or structures in which the surface area to be disturbed exceeds 10,000 sq. ft and funding level is not in excess of \$200,000 and where no protected or other sensitive environmental areas could be affected.
- _____ Minor construction or rehabilitation of rural roads less than ca. 10 km (with no change in alignment or right of way), with ecologically sensitive areas at least 100 m away from the road and not affected by construction or changes in drainage; likewise, no protected areas or relatively undegraded forest should be within 5 km of the road.
- _____ Nutrition, health care or family planning, *if* (a) some included activities could directly affect the environment (construction, supply systems, etc.) or (b) [biohazardous healthcare waste \(esp. HIV/AIDS\) is handled or blood is tested.](#)
- _____ Construction or rehabilitation of small-scale water points or water storage devices for domestic or non-domestic use, not covered in Category 1, when neither protected or other sensitive environmental areas could be adversely affected nor endangered and threatened species jeopardized. [Pursuant to USAID guidance on water quality, testing required for arsenic, nitrates, nitrites and coliform bacteria.](#)
- _____ Quantity imports of commodities such as fertilizers.
- _____ Food for Development programs under Title II or III, involving known biophysical interventions with potential to cause environmental harm (e.g., roads, bore holes).
- _____ Support for intermediate credit institutions when indirect environmental harm conceivably could result.
- _____ Institutional support grants to NGOs/PVOs when the activities of the organizations are known and raise the

likelihood of some environmental impact.

_____ Technical studies and analyses and other information generation activities that could involve intrusive sampling, including aerial surveys, of endangered species or critical habitats.

_____ Small-scale use of USEPA-registered least-toxic *general-use pesticides*, limited to NGO-supervised use by farmers, demonstration, training and education, or emergency assistance. Environmental review must be carried out consistent with USAID Pesticide Procedures as required in Reg. 16 [22 CFR 216.3(b)(1)].

_____ Other activities not in Category 1 and not in Category 3 or 4. Specify:

< **Were the following used by the PVO/NGO in designing the above Category 2 activities (yes, no, N/A)?**

_____ USAID/AFR's Environmental Guidelines for NGO and PVO Use in Africa

_____ Any applicable Programmatic Environmental Assessments:

Other:

_____ **Africa Bureau Category 3 -- Significant environmental impacts likely.
Environmental review required, and Environmental Assessment likely to be required:**

< **Does the activity involve (mark yes where applicable):**

_____ River basin or new lands development

_____ Planned resettlement of human populations

_____ Penetration road building, or rehabilitation of roads (primary, secondary, some tertiary) over 10 km length, and any roads which may pass through or near relatively undegraded forest lands or other sensitive ecological areas

_____ Substantial piped water supply and sewerage construction

_____ Major bore hole or water point construction

_____ Large-scale irrigation

_____ Water management structures such as dams and impoundments

_____ Drainage of wetlands or other permanently flooded areas

_____ Large-scale agricultural mechanization

_____ Agricultural land leveling

_____ Procurement or use of restricted use pesticides, or wide-area application in non-emergency conditions under non-supervised conditions

_____ Light industrial plant production or processing (sawmill operation, agro-industrial processing of forestry products)

_____ Potential to significantly degrade protected areas, such as introduction of exotic plants or animals

_____ Potential to jeopardize threatened & endangered species or adversely modify their habitat (esp. wetlands, tropical forests)

The above Category 3 activities are consistent with USAID criteria for activities that normally require a USAID-specific document with a defined format and procedure, called the Environmental Assessment (EA). It is recognized that some of these categories are ambiguous. Mark "yes" if they apply, and show in the Environmental Review (Step 4) the extent and magnitude of activities and their impacts, so that USAID and its partners can determine if an EA is necessary or not.

_____ **Africa Bureau Category 4 -- Activities not fundable or fundable only when specifically defined findings to avoid or mitigate the impacts are made, based on an Environmental Assessment¹:**

¹ Per Foreign Assistance Act Sect. 118 & 119 relating to overseas assistance affecting Tropical Forestry and Biodiversity

< ***Does the activity involve (mark yes where applicable):***

- _____ Actions determined likely to significantly degrade protected areas, such as introduction of exotic plants or animals
- _____ Actions determined likely to jeopardize threatened & endangered species or adversely modify their habitat (esp. wetlands, tropical forests)²
- _____ Conversion of forest lands to rearing of livestock
- _____ Planned colonization of forest lands
- _____ Procurement or use of timber harvesting equipment
- _____ Commercial extraction of timber
- _____ Construction of dams or other water control structures which flood relatively undegraded forest lands
- _____ Construction, upgrading or maintenance of roads (including temporary haul roads for logging or other extractive industries) which pass through relatively undegraded forest lands.

Step 2. Summarize and Itemize Activities. List activities by all categories to which *Yes* was answered.

Categories of activities as determined below (add entries as required):

Activity/Sub-Activity	Funding:	Category

Step 3. Determine Need to Prepare Environmental Review.

If all activities are in Category 1, sign and date the form. For any activities in Category 2 and 3, prepare an Environmental Review Report assessing all of these activities' impacts. For Category 3 activities, further documentation would be required, once USAID has confirmed the applicability of Category 3, based on the Review. If Category 4 is possible, consult USAID before proceeding with the Environmental Review to determine if activities can be funded and/or whether required EA findings could be made.

For all Category 2 and 3 activities, proceed to Step 4 to prepare Environmental Review.

Step 4. Prepare Environmental Review

Suggested Format for Environmental Review

² Per USAID Environmental Procedures, § 22 CFR 216.5, on Endangered Species

The Environmental Review should be about 5-8 pages long (more if required) and consist of following sections:

1. **Background, Rationale and Outputs/Results Expected** -- summarize and cross-reference proposal if this review is contained therein.
2. **Activity Description** -- Succinctly describe location, siting, surroundings (include a map, even a sketch map). Provide both quantitative and qualitative information about actions needed during construction, how intervention will operate and any ancillary development activities that are required to build or operate the primary activity (e.g., road to a facility, need to quarry or excavate borrow material, need to lay utility pipes to connect with energy, water source or disposal point or any other activity needed to accomplish the primary one but in a different location). If various alternatives have been considered and rejected because the proposed activity is considered more environmentally sound, explain these.
3. **Environmental Situation** -- Affected environment, including essential baseline information available for all affected locations and sites, both primary and ancillary activities.
4. **Evaluation of Activities and Issues with Respect to Environmental Impact Potential** -- Include impacts that could occur before construction starts, during construction and during operation, as well as any problems that might arise with restoring or reusing the site, if the facility or activity were completed or ceased to exist. Explain direct, indirect, induced and cumulative effects on various components of the environment (e.g., air, water, geology, soils, vegetation, wildlife, aquatic resources, historic, archaeological or other cultural resources, people and their communities, land use, traffic, waste disposal, water supply, energy, etc.). Indicate positive impacts and how the natural resources base will be sustainably improved.
5. **Environmental Mitigation Actions (including monitoring and evaluation)** -- For example, indicate means taken to avoid, reduce or compensate for impacts, such as restoration of borrow or quarry areas, replanting of vegetation, compensation for any relocation of homes and residents. Indicate how mitigative measures will be monitored to ensure that they accomplish their intended result or what monitoring might be needed for impacts that one is uncertain about.
6. **Other Information** (as appropriate) -- where possible, include photos of the site and surroundings; list the names of any reference materials or individuals consulted.

Note: Specific plans for monitoring of key environmental indicators and mitigation of impacts during activity implementation are especially important; these must be addressed in the review. Information on monitoring results and mitigation of impacts are to be included in all progress reports. Important information and a criterion for evaluation of environmental soundness is showing how the activity is part of or guided by an integrated, community-based resource and land use plan or planning and management framework that considers the appropriate use of multiple resources.

List of Approvals

Drafted by: _____ Date: _____

Reviewed by: _____ Date: _____

PVO/NGO Director (if different from above) _____ Date: _____

Clearances:

USAID Project Manager or Designee: _____ Date: _____

MEO: _____ Date: _____

OR

USAID Mission Director: _____ Date: _____

Indicate here recommendation that an Environmental Assessment (EA) be prepared, if any activities are classified in Category 3 or 4, OR explain why an EA is thought not to be required.

All activities designated Category 3 or 4 **must be referred** to the REDSO/ESA REO/REA and BEO and, in some cases, the RLA. The MEO should also refer any questionable Category 2 activities.

REDSO REO/REA, RLA and BEO Referrals (if appropriate, list names and dates):

esfmst7b

Modified from esfmast7 in 9/98